



TOWN COUNCIL

**Minutes of Full Council Meeting held
On Thursday 28th March 2019
In The Community Hall – Ledbury**

PRESENT:

Chair of the Council; N. Shields

Councillors: M. Eakin; K. Francis; A. Harrison; E. Harvey; J.
Hopkins; P.Howells; D. Knight; N. Morris; D.
Vesma; A. Warmington; D.Whattler

In Attendance: G. Rippon - Clerk to the Meeting
M. ab Owain – Acting (Part-Time) Town Clerk
A. Price - Town Clerk Designate
S. Fisher - Minutes

G. Bills-Geddes - Ledbury Reporter
6 members of the public

C54 - 03.19 Apologies

Apologies were received from Cllr Manns

C55 - 03.19 Interests

Cllr Francis declared a pecuniary interest in Items 25 – Recovery of Legal Fees - and 26 – Statement for Public concerning Judicial Review - and signed the register. He also declared a non-pecuniary interest in Item 24 - Distinguished Citizen Awards.

Cllr Harvey declared a pecuniary interest in Item 25 - Recovery of Legal Fees - and signed the register.

Cllr Francis requested clarification of the legal position in respect of non-declarations of pecuniary interests by Councillors.

The Clerk of the Meeting confirmed that non-declaration of a pecuniary interest is a criminal offence.

C56 - 03.19 Public Participation

There was one request to speak from a member of public attending the meeting, covering two items from the Minutes of the Meeting of 28th Feb.

The individual requested the meeting to note that one of the Grant Applications listed in Item C39-02.19 was incorrectly described and requested that the Minutes be amended accordingly. The application listed as being from Ledbury Food Group was in fact a joint application by Ledbury Food Group and Ledbury Fringe.

The Chair responded that the Minutes were a correct record of the meeting as held, but that this error would be noted.

The speaker also wished to draw attention to Items E35 - 03.19 Ledbury Celebration 2019 and E40 - 03.19 Painted Room from the Minutes of the Environment and Leisure Committee, asking for confirmation of the Council's position on these items. The Chair referred these points to the Temporary Clerk and incoming Town Clerk for a response.

C57 - 03.19 Minutes

Minutes of the Meeting of Full Council of 28th February 2019

It was noted that the name of the Clerk of the Meeting was incorrect - it should read Rippon, not Roberts.

Proposal: That with this amendment the Minutes be approved as an accurate record of the Full Meeting of Ledbury Town Council held in Open Session on 28th February 2019.

Voting: Agreed

C58 - 03.19 Chairman's Report and Correspondence

The Chair reported that the past month had been busy she had only attended one event on behalf of the Council, namely the Herefordshire County Community Champions Awards. She commented that she had found the range and nature of the volunteers being recognised by these awards to be very inspiring.

There was no correspondence received during this period.

C59 - 03.19 Committee Matters: Economic Development & Planning Committee

The Council received the Minutes of the meeting of the Economic Development and Planning Committee held on 7th March 2019.

Cllr Warmington noted that he had intended to respond to Item P17. ii. concerning the Parkway House application but it had slipped his mind. He requested anyone with views on this matter to contact him as soon as possible so that he could deal with it as promised.

Proposal: The Minutes be approved as an accurate record of the Economic Development and Planning Committee held on 7th March 2019.

Voting: Agreed

C60 - 03.19 Committee Matters: Environment & Leisure Committee

The Council received the Minutes of the meeting of the Environment and Leisure Committee held on 14th March 2019.

Cllr Hopkins confirmed that the Committee was pleased to support the proposals from Haygrove concerning a Community Garden.

She further confirmed that the newly appointed Groundsman is proving a success, and that the works for the Shelter on the Recreation Ground will commence on 15th April.

Cllr Hopkins confirmed that she had attended a meeting with the Acting Conservation Officer for Herefordshire, the Localities Officer and DA Engineering concerning the works needed to restore the War Memorial. It was confirmed that the actual base of the monument is stable, but is being undermined by water ingress below it. It is proposed that a narrow channel be put in place at the base of the monument, which will drain into a reservoir below it and thence into the storm drain. The cobbles around the monument will be removed, and stored for use elsewhere. There is also stone restoration work required for the upper part of the monument. The Council is drawing up the documents prior to going out to tender for the works. They will also approach the War Memorial Trust to ascertain if they can assist with the costs of these works.

Proposal: The Council accept the Minutes as an accurate record of the meeting of the Environment and Leisure Committee held on 14th March 2019.

Voting: Agreed

C61 - 03.19 Committee Matters: Finance & General Purposes Committee

- i) Minutes of the Extraordinary Meeting of the Finance and General Purposes Committee held on 7th March 2019

The Council received the Minutes of the Extraordinary Meeting of the Finance and General Purposes Committee held on 7th March 2019

Cllr Harrison drew the attention of the meeting to the Recommendation under Item F45 - 3.19 - that the Maritime Cadets contact the Community Transport in relation to their transport requirements.

He also pointed out that in the discussions relation to Item F45 - 3.19 the Committee had resolved to request the full data for the previous SID installations from Balfour Beatty. He asked that this point be added to the Minutes of the Meeting

Proposal: The Council approve the addition of the following to the Minutes of the Extraordinary Meeting of the Finance and General Purposes Committee held on 7th March 2019:

"F45-3.19 (v) Request full data for the previous SID installations in Ledbury from Balfour Beatty" and with this addition the Minutes be approved as an accurate record of the Extraordinary Meeting of the Finance and General Purposes Committee held on 7th March 2019, and the proposals therein

Voting: Agreed

- ii) Minutes of a Meeting of the Finance and General Purposes Committee held on 21st March 2019

The Council received the Minutes of the Meeting of the Finance and General Purposes Committee held on 21st March 2019

Cllr Howells reiterated the need to consider invoices submitted for payment against budgets agreed for those areas of expenditure.

The Clerk to the Meeting pointed out that the Finance and General Purposes Committee is not mandated to move money between Budget Lines, but can recommend such movements to the Full Council for consideration and hopefully approval. Therefore, all such actions listed in these Minutes as Resolutions should be amended to become Recommendations (for consideration by Full Council).

Cllr Harrison confirmed that members of the Finance and General Purposes Committee will be meeting with the Internal Auditor as soon as possible to clarify the points raised in this meeting.

Proposal: With the above noted amendment to the Resolutions in Items F54-3.19 5.3 and F54-3.19 5.3 the Minutes be approved as an accurate record of the Extraordinary Meeting of the Finance and General Purposes Committee held on 7th March 2019, and the proposals therein

Voting: Agreed

iii) Proposed amendment to 12 December 2018 Finance and General Purposes Committee minutes requested by Cllr Howells

Cllr Howells explained that at the time of the meeting on 12th December 2018 there was confusion as to whether the invoice from Masefield Solicitors had been properly authorised and allocated within the budgets. He stated that further investigation had proved inconclusive on this point, but asked that the minutes of the 12th December meeting be amended to include the following statement:

"It transpired that this particular invoice was for advice on the grievance procedure; the records with relation to authorisation are inconclusive."

The Chair pointed out that the accounts would be audited later in 2019 and that it would be best to leave this matter to the auditors; although it should be highlighted for their attention.

iv) Review of Budget Lines

It was agreed to defer this discussion to an Extraordinary Meeting of the Finance and General Purposes Committee which will take place as soon as possible after the members of the Committee have met with the Internal Auditors to discuss the various matters highlighted in the Minutes of the Meeting of 21st March 2019.

C62 - 03.19 Committee Matters: Executive Committee

The Council received the Minutes of the meeting of the Executive Committee held on 7th March 2019

Proposal: The Minutes be approved as an accurate record of the Executive Committee held on 7th March 2019.

Voting: Agreed

C63 - 03.19 Financial Matters

The Council reviewed invoices received since Finance & General Purposes meeting of 21st March 2019

Proposal: The Council approve for payment all the invoices received since the Meeting of the Finance and General Purposes Committee held on 21st March 2019 and delegate the Temporary Clerk

as Responsible Finance Officer to oversee the payment of invoices submitted in April 2019..

Voting: Agreed

C64 - 03.19 Updated Code of Conduct and Register of Interest forms

The Chair noted that the proposed explanatory front page to clarify how the Herefordshire Council Code of Conduct will apply within Ledbury Town Council has not yet been finalised.

C65 - 03.19 Re-evaluation of Telephone System

Deferred to closed session since Appendix 10 was an Exempt Paper.

C66 - 03.19 GDPR - Privacy Policy

The Council received the Privacy Policy as drafted by Cllr Hopkins

Cllr Vesma commented that he has had to review many Privacy Policies since May 2018 and in his opinion this is an extremely well put together document which he had no hesitation in recommending the Council to accept.

Cllr Harvey proposed a Vote of thanks to Cllr Hopkins for her hard work in drafting the Policy.

Proposal: The Council approve the Privacy Policy as drafted and record a Vote of Thanks to Cllr Hopkins for the work undertaken by her. submitted in April 2019.

Voting: Agreed

C67 - 03.19 Grounds Maintenance Contracts

The Temporary Clerk explained that the papers presented as Appendix 12 are the text of the Contracts; maps showing the areas covered by each contract are being drawn up.

Proposal: The Council approve the Contracts as drafted and delegate the finalising of the maps relating to them to the Council Chair and Chair of Environment and Leisure Committee in collaboration with the Clerk.

Voting: Agreed

C68 - 03.19 Parish Meeting Minutes

The Council received the Minutes of the Parish Meeting held on 4th March and noted their content.

C69 - 03.19 Parish Poll

Item 3 of the Parish Meeting Minutes in Item C68 - 03.19 proposed putting the following question to a Parish Poll:

"Policy LB2: 'Land North of the Viaduct' of the Herefordshire Local Plan – Core Strategy 2011-2031 requires "provision of satisfactory vehicular access arrangements". This site is proposed to contain at least 625 dwellings and 3 hectares of employment land. The developer for this site proposes vehicle access arrangements solely via the Bromyard Road (in Planning Application: 171532),

Do you consider this provision to be 'SATISFACTORY'?"

The Chair informed the meeting that following discussions with Herefordshire Electoral Services the organisation had stated that it would not be possible to hold the Parish Poll on the same date as the Town/Parish and County Council elections, namely 2nd May.

Cllr Harvey, with several other councillors, was unhappy with this response; she offered to approach H.E.S again, to see if she could persuade them of the need to reconsider this decision.

It was agreed to accept Cllr Harvey's offer, but that if the Poll could not be held on 2nd May then it should be held as soon as possible afterwards, which would require notice of the Poll to be given no later than 18th April 2019.

Several councillors asked if this Poll would have any legal force; Cllr Harvey replied that it would not, but that it would provide strong evidence of local feeling in the event of a Planning Inquiry at a later date.

C70 - 03.19 Herefordshire Councillors' Reports

Cllr Harvey confirmed that she had received notification from the Planning Officer earlier in the week that the promoters of the planning application on the Dymock road have lodged an Appeal on the grounds of non-determination. Herefordshire Planners are opposed to a public enquiry, and gave a very short time for comments on this. She has written formally to request that any Enquiry is public rather than being a paper review behind closed doors.

She also informed the meeting that the Environmental Health Officers have expressed concerns about the quality of noise mitigation on the new Barratt development. She will report back on this.

Concerns have also been expressed about the access arrangements for the proposed new developments and the effect on local clean water supplies. These are being monitored.

Cllr Warmington stated that he had nothing to add to Cllr Harvey's report.

C71 - 03.19 Outside Bodies

Cllr Morris, on behalf of the Ledbury Food Group, reminded the meeting about the Evening "all about pigs" that will be held at the Burgage Hall on 15th April 2019.

C72 - 03.19 General Correspondence

There was no general correspondence to present to the meeting.

Interpolation: Cllr Morris reminded the meeting that when the Parish Poll had first been discussed the Council had considered including information about it in the Ledbury Newsletter. He asked if this was still possible. The Chair stated that this would be considered when the date of the Poll is known.

C73 - 03.19 Date of Next Meeting:

The date of the next meeting of the Full Council was confirmed as Thursday 9th May 2019.

The Ledbury Town Meeting, with reports from the various Councillors and Committees will be held on Thursday 25th April.

C74 - 03.19 Exclusion of Members of the Public

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

Voting: Agreed

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.

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The meeting following the closed session ended at 22.05 pm

CHAIRMAN DATE