



LEDBURY TOWN COUNCIL
Minutes of an Extraordinary meeting of
Full Council
held on 18 April 2019
in The Town Council Offices, Ledbury

PRESENT: Chair of the Council: Councillor N Shields

Councillors: K Francis, A Harrison, E Harvey, J Hopkins, D Knight, P Howells, N Morris and D Vesma

IN ATTENDANCE: G Rippon – Clerk to the Meeting
A Price – Town Clerk

C75 – 04-19 Apologies for Absence

Apologies were received from Councillors Roberts and Warmington

C76 - 04.19 Declarations of Interests

Councillor Francis advised that he may wish to declare an interest as the agenda progressed. He advised that if he felt it appropriate to do so he would declare an interest and leave the room accordingly.

C77 – 04.19 Public Participation

There were no members of the public present.

C78 – 04.19 Review of Budget Codes

Members were requested to formally approve the virements as detailed with the 2018/19 Annual Budget papers.

Proposal: That Members agree the following virements in respect of the 2018/19 Annual Budget outcome: -

1. £15,000 to be vired from Code 4016 (Town Cleaner) and £5,000 from Code 4019 (Pension) and placed in Code 4223 (Perimeter Wall Repairs)
2. £10,000 to be vired from Code 4000 (Staff Salaries) and placed in Code 4205 (Grounds Maintenance (Contract))
3. £10,000 to be vired from Code 4235 (Play Equipment-new) and placed in Code 4238 (Recreation Ground Youth Shelter)
4. £38,000 to be vired from Code 4000 (Staff Salaries) and placed in Code 4001 (Temporary Staff Salaries)
5. £5,600 to be vired from Earmarked Reserves and placed in Code 4540 (Election Expenses)

Resolved: - that all of the above virements in respect of the 2018/19 annual budget be approved.

C79 – 04.19 Herefordshire CCTV

Members were advised that correspondence had been received from Herefordshire Council requesting that Ledbury Town Council enter into a 9-year Service Level Agreement in respect of the CCTV in Ledbury.

The Chair questioned whether it would be appropriate for the current administration to tie in future administrations to a contract of such a time period. She considered it would be better to review the Service Level Agreement at the start of each administration period.

Councillor Harvey stated that a number of points need to be considered before entering into such a lengthy agreement such as the cost of the equipment, is the equipment good enough to last the period of the agreement or will it need upgrading in contract and if so would this affect the annual costs to the Council

Councillor Howells asked if the Council were to commit to the 9-years how would this affect the annual costs? He also raised the fact that in a previous meeting Members had agreed to ask Herefordshire Council to hold a visit for Councillors in the CCTV separate issues.

There was some discussion about whether the CCTV currently in place provided adequate images to assist with police prosecutions and it was agreed that a visit to the CCTV Control Room to establish this should be arranged.

Resolved: -

1. That the Town Clerk Herefordshire Council and seek more information on the terms of the proposed contract and cost implications of a 9-year Service Level Agreement.
2. That the Town Clerk contact the CCTV Control Room to seek possible date, preferably an evening, when Councillors would be able to visit the CCTV Control Room.

C80 – 04.19 Councillor Vacancies

The Chair advised Members that as there were insufficient candidates standing for election in the up-coming election it would be useful to provide details of the Council's options following the elections.

Gwilym Rippon advised Members that if a Councillor has put their name forward for election and is subsequently "elected uncontested" for the purpose of General Power of Competence this was deemed as having been "elected" and therefore if two-thirds of the Council is elected via this process a Council would be deemed to be a Competent Council and would retain the General Power of Competence.

Members were advised that the options would be either to hold a further election for the remaining vacancies, co-opt to the vacant seats or for all those Members appointed without being contested to resign and a full election be held.

Councillor Harvey advised that her preference would be to fill the vacancies via the election process,

Concerns were raised about whether the Council would retain the General Power of Competence due to issues around the Councils recent accounts. Gwilym Rippon advised that to have General Power of Competence a Council must have 2/3 of its members elected via the election process, therefore a total of 12 elected members would be required to ensure the Council retains General Power of Competence. As there are only 10 candidates standing for election the Council would lose its General Power of Competence. If the Council is minded to retain the General Power of Competence, then the options available to them would be to either hold a further election to fill the 8 vacancies or for all elected Members to resign and a new election be called.

Members felt that this conversation would need to be repeated by the newly elected Members following 2 May.

C81 – 04.19 Suspension of Standing Orders

Members were asked to suspend Standing Orders to include a further item on the agenda to appoint the new Town Clerk as the Responsible Finance Officer (RFO), following the departure of the temporary Clerk.

Proposal: That Standing Orders be suspended to allow an additional agenda item to be considered.

Resolved: That Standing Orders be suspended to allow an additional item to be considered, in respect of appoint the newly appointed Town Clerk as the RFO.

Proposal: That the newly appointed Town Clerk be appointed as the RFO.

Resolved: That the newly appointed Town Clerk be appointed as the RFO.

C82 – 04.19 Re-instating of Standing Orders

Proposal: That Standing Orders be re-instated in order to allow Members to continue with the remaining agenda items:

Resolved: That Standing Orders be re-instated.

C83 – 04.19 Press Release

The Chair provided Members with an update of the Press Release statement which had been discussed at the Council meeting held on 28 March 2019. She advised that further advice had been sought from the QC in respect of an additional statement being published and that the advice received had remained as previously stated, that this was not recommended. Following receipt of further legal advice the statement had been published on the Council's website.

The Chair advised that following the publication of the press release she had received an enquiry from the Ledbury Reporter which she responded to and subsequently published a copy of that response on the Council's Facebook page.

Councillor Harvey expressed concerns over the publishing of the Press Release without further discussion by Council to which the Chair confirmed that she and the temporary clerk had been very careful to check the minutes prior to publishing the statement to ensure that due process was being followed.

A further lengthy, heated discussion took place surrounding the events leading up to the Judicial Review and Councillor Harvey expressed her opinion on what she believed the statement should have included.

Councillor Francis felt he should declare an interest in this agenda item and left the meeting for the remainder of the discussions.

Councillor Harvey expressed concerns that there were no actions in place to avoid a similar occurrence happening again in the future. It was pointed out that a number of actions had been taken to help ensure against any future occurrence of this nature such as addressing issues wherever possible and recruiting a new competent Clerk. It was recognised that whilst you can put things in place you cannot eradicate all risk. Members recognised that mistakes had been made, but the majority of the Members present felt it was now time to draw a line under the events and move forward.

Councillor Morris thanked the Chair for all her hard work in getting the Council through the past twelve months and getting the Council moving forward.

Councillor Francis re-joined the meeting.

C84 – 04.19 Distinguished Citizen Award

Members were requested to formally approve the awarding of the Distinguished Citizen Award to Lloyd Meredith at the Annual Town Meeting.

Proposal: That the Distinguished Citizen Award be awarded to Lloyd Meredith at the Annual Town Meeting on Thursday, 25 April 2019.

Resolution: That the Distinguished Citizen Award be awarded to Lloyd Meredith at the Annual Town Meeting on Thursday, 25 April 2019.

C85 – 04.19 Date of Next Meeting

Resolved to note that the next meeting of the Full Council will be its Annual Meeting to be held on Thursday, 9 May 2019.

The meeting closed at 9.20 pm.

Signed Date
(Chairman)