

LEDBURY TOWN COUNCIL
MINUTES OF AN EXTRAORDINARY MEETING OF COUNCIL
HELD ON TUESDAY, 31 AUGUST 2021 AT 7.00 PM
AT THE CATHOLIC CHURCH HALL, NEW STREET, LEDBURY

PRESENT: Councillors Manns (Chair), Bannister, Eakin, Harvey, Howells, Hughes, Knight, Troy and Whattler

IN ATTENDANCE: Angela Price – Town Clerk
Julia Lawrence – Deputy Town Clerk

C427 APOLOGIES

Apologies for absence were received from Councillor Chowns.

C428 DECLARATIONS OF INTEREST

No declarations of interest were received.

C429 TO APPROVE AND SIGN THE MINUTES OF A MEETING OF COUNCIL HELD ON 29 JULY 2021

RESOLVED:

That the minutes of the meeting held on 29 July 2021 be approved and signed as a correct record.

C430 TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) AND 3(F)

Cllr Manns read out the following statement prior to inviting members of the public to speak:

“Ledbury Town Council have been made aware by a member of the public that they are in receipt of a confidential report provided to Ledbury Town Council in respect of the War Memorial.

The member of public has advised that “a leaked copy of this report was made available to them recently.”

The leaked confidential is a copy of a preliminary report provided by Caroe, further to this Council has now received a more detailed report which is what they will be discussing later in this meeting.

We would like to make it clear to members of the public that whilst we welcome questions from members of the public and will answer them wherever possible, either in the room or in writing, Councillors will not be providing a response to any questions raised as a result of members of the public having sight of any confidential report of council.

Any confidential report leaked to members of the public by a person(s) connected to the council remains the property of the council and not that of the recipient.”

Councillor Manns confirmed that the detailed report received from Caroe & Partners would be discussed at this meeting in confidential session and that responses to questions received from members of the public would either be answered at this meeting during open session or in writing following the meeting but reiterated that no responses would be made to members of the public in respect of the leaked confidential document.

Mr Ewen Sinclair read out the following statement:

“The Mayor, Councillors Morris and Bannister have squandered a donation by Stuart Heaton. A WW2 Bomber Command Veteran, he has friends’ names on the War Memorial. You chose a contractor who was as clueless as he was dishonest, there could even be criminal activity. Not a single piece of work done meets the specification, neither is it what the Stone Workshop state they would provide. Worst of all the surface of the Portland Stone has been damaged by High Pressure Washing. It is likely that all the Portland Stone will need to be replaced. At a meeting earlier, this year, Cllr Bannister said there was nothing to apologise for. Be assured, there’s a lot to apologise for, the residents of Ledbury, deserve this, especially those with relatives’ names on the War Memorial. They also deserve a full and honest explanation, yet we are being excluded from the discussion. All three of you should hang your heads in shame and if you had a shred of decency, you would refund the Money to Mr Heaton from your own pockets.”

Mr Nick Bryant read out a statement which included questions, a copy of which is attached to these minutes.

Mr Steve Ellis also provided a number of questions, which the Clerk read out on his behalf and a copy of this is also attached to these minutes.

Councillor Knight responded to comments made by members of the public stating that she believed Ledbury Town Council should make the public aware and “do not keep members of the public in the dark” as she believed the Council should be transparent. Councillor Knight asked why the meeting could not discuss matters in open session at the meeting.

Councillor Knight also said she was happy to apologise to the people and that members of the public should be aware of some of the discussions that have taken and will be taking place. She stated that she pays council tax and reminded members not to forget that the Town people had voted them in.

Mr Ian Colwell, also spoke, reporting that he had noted big changes in the World. He said that millions of people attend War Memorials on special occasions and that we should respect that. He stated that Ledbury Town Council has a mandate and members of the public want their council to adhere to this. He appreciated that the War Memorial repairs were needed, and it took a long time to come to fruition. He noted that £30,000 had been donated by one person which will have taken some burden off Ledbury Town Council.

Mr Colwell questioned what can council do now? Hide away what they have done and don't say what has happened despite there being a mistake, whether it is the responsibility of three Councillors or twelve Councillors. Mr Cowell stated that Ledbury Town Council are being seen in a bad light and must now be open so that the public can make their own mind up. Mr Colwell commended Councillor Knight for her brave statement.

Councillor Manns reiterated that some of the questions raised in the meeting could not be answered at this time due to Ledbury Town Council having to following due process and seeking legal advice. He reiterated that responses would not be provided to any questions that had been raised as a result of members of the public having had sight of the confidential report provided by Caroe.

Councillor Knight suggested that a letter of apology should be sent to Mr Heaton.

Councillor Harvey thanked the members of the public for attending the meeting, stating that she wished to reassure everyone that there was no intention by the Council to hide away. She advised that Ledbury Town Council would be dealing with the issues raised, however there are procedures that the council must follow. She assured members of the public that the information would be in the public domain in due course.

Councillor Harvey thanked Mr Ellis for the attention he had paid to the restoration work, advising that it had been difficult to supervise some of the work during the Covid-19 lockdown. She assured members of public that the council would be giving the contractor an opportunity to comment and would, as soon as possible, make the public aware of what has happened and the outcome of those discussions.

Mr Ellis referred to FOI requests stating that he had not seen anything to Paul Jones asking him why he didn't use a specification or drawing.

Mr Ellis asked for sight of that correspondence, questioning whether it existed or not.

Mr Ellis further questioned the duration of events and why the whole process had taken so long, and why the contractor had not been contacted about the repairs, addressing this question to the Town Clerk. The Clerk advised that she had not been instructed to contact the contractor.

Councillor Bannister confirmed that a meeting with the contractor had taken place at which the Town Clerk was not present. He confirmed that he and Councillor Knight, along with the then Deputy Clerk, met with the contractor to advise him of the broken slabs and to request him to replace them. Mr Ellis queried proof that this meeting had taken place and that he had sent an email to some Councillors following that meeting.

Mr Sinclair questioned why a copy of the above-mentioned email was not included as part of his recent FOI response. The Town Clerk confirmed that the email that Councillor Bannister had sent had been sent to Councillors and staff and not from Councillors or staff to the contractor, and therefore did not constitute part of the response to the recent FOI.

Councillor Howells addressed the meeting confirming that he believed Ledbury Town Council should write to Mr Heaton to explain the circumstances the council now finds itself in. He advised that the Council are as frustrated as members of the public that it is taking a lot longer than the council would have liked.

Mrs Brenda Hill stated that people known to Mr Heaton had been killed and were named on the War Memorial, as was her own grandfather. Mrs Hill said that Ledbury Town Council had missed out on lottery funding in 2012 for repairs to the war memorial.

Councillor Manns thanked the public for their input into the meeting and brought the public participation to a close.

C431

DATE OF NEXT MEETING

RESOLVED:

To note that the next ordinary meeting of Council is scheduled for Thursday, 30 September 2021 at 7.00 pm, in the Burgage Hall.

C432 EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That in accordance with Section 1(2) of the Public Admission to Meetings Act 1960, in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting.

C433 LEDBURY WAR MEMORIAL

Members were provided with additional information by the Clerk following a meeting between the Clerk, Deputy Clerk, Councillor Knight and Caroe to discuss their report.

Members considered Caroe's report and following considerable discussion it was **RESOLVED:**

- 1. That the Clerk and Councillor Chowns meet with the Council's solicitor to draft a letter to be sent to the contractor to ask him to return to site and make good the defects as identified in Section 9 of the report received from Caroe.**
- 2. Caroe be requested to provide a scope of works for the repair works going forward to include the following:**
 - To be more robust and visually appropriate**
 - Ensure correct sub-base and slabs are agreed**
 - Quality of obelisk stone**
 - Stainless steel dowels to secure obelisk**
 - To ensure correct mortar is used and to the correct depth in respect of pointing works**
 - Consideration of appropriate acu drain system**
- 3. That the Clerk draft a letter to Mr Heaton and that the Council's Solicitor be asked to comment on the letter prior to sending.**
- 4. That a press release be drafted and checked by the council's solicitor prior to publication.**
- 5. That a structural engineer be engaged to oversee the repair works to the memorial.**
- 6. That any further discussion of Council in respect of the War Memorial refurbishment be brought back to a further meeting of Council.**

The meeting ended at 9.00pm

Signed
(Chair)

Dated