

LEDBURY TOWN COUNCIL

MINUTES OF AN EXTRAORDINARY MEETING OF FULL COUNCIL COMMITTEE HELD ON 21 OCTOBER 2021

PRESENT: Councillors Manns, Chowns, Whattler, Eakin, Hughes, Knight, Sinclair, Troy and Morris

ALSO PRESENT: Angela Price – Town Clerk
Amy Howells – Minute Taker
Councillor l’Anson – Member of the Public
Julian l’Anson – Member of the Public
Nick Bryant – Member of the Public
Brenda Hill – Member of the Public

C452 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Harvey, Bradford and Bannister.

C453 **DECLARATIONS OF INTEREST**

None received.

C454 **TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF A MEETING OF COUNCIL HELD ON 30 SEPTEMBER 2021**

RESOLVED:

That the minutes of the meeting of the Council meeting held on 30 September 2021 be approved and signed as a correct record subject to the following amendments:

1. That it be noted that Councillor Chowns was present at the meeting.
2. That minute no. C448 be amended to read “Councillor Morris was nominated for both council representations”

C455 **TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDER 3(E) AND 3(F)**

The Town Mayor, Councillor Manns read out the following statement.

“At the extraordinary meeting of Council held on 31 August 2021 it was agreed that the Clerk and Councillor Chowns, the Chair of the Environment & Leisure Committee, would meet with the Council’s Solicitors in order to instruct them to contact the Contractor in relation to the recent works carried out to the War Memorial in Ledbury.

I can now report that a response has been received from the Contractors Solicitors which Members will be reviewing later in this meeting with a view to agreeing next steps.

I would also like to report that since that meeting in August the Council have commissioned the following inspections and reports, which will also be considered by members later in this meeting.

- A Risk assessment has been carried out of any potential trip hazards around the base of the Memorial;
- An inspection by a Structural Engineer of the Memorial as a whole and in particular whether the top obelisk poses any threat to members of the public;
- The Clerk and Councillor Knight met with Herefordshire Conservation Officers to discuss this issue and the Clerk is currently trying to arrange a further meeting with Caroe and the Conservation Officers and the Chair of Environment & Leisure, Councillor Chowns, in order to draw up a specification for the repair work required;
- The Senior Building Control Officer has visited the site and confirmed that, in his opinion, the Memorial does not pose any danger to members of the public at this current time.
- A letter has been sent to Mr Heaton advising him of the issues and a response has been received from him.

At tonight’s meeting Members will be provided with updates on all the above and asked to consider various steps going forward.

Once again, we would ask that members of the public bear with us as we follow due process in respect of this matter. The Council understand the frustration of members of the public and would like to assure you that Councillors share that frustration, but it is important that we follow due process and sometimes this does mean that some discussions must be held in confidential session to avoid compromising the Council’s position going forward.”

Councillor l’Anson advised that she had been told £100,000 had been taken from reserves to deal with the memorial and asked if this is the case why are members of the public being excluded from the discussion about the War Memorial.

The Clerk advised that the Council had agreed to establish an earmarked reserve in respect of the War Memorial, noting that this practice is standard for council’s who manage listed buildings.

The Mayor advised that due to the ongoing legal situation with the contractor it was not possible to share all information with the public at this time.

Mr Bryant asked if the Council could give assurance that the War Memorial will be put back to the original specification by the contractors and questioned does the Council still not feel an apology should be given for the Criminal Damage that has taken place? Mr Bryant stated that he does not feel the Council have followed due process and that they must apologise for their errors.

Councillor Troy added that the Council will do everything they can to follow process going forward and Councillor Manns advised that once the repairs have been completed Ledbury Town Council would like to reassure residents that they will carry out a review of actions taken throughout this process and if it is felt an apology is required Council will provide one.

Mr l'Anson – Questioned what was going to be done about Mr Heaton's damaged slab?

Councillor Chowns said that it goes without saying that once an agreement has been reached in respect of the repairs this should be the first thing to be restored.

Mrs Hill asked the Clerk to read out a letter she had submitted in respect of the minutes of the meeting held on 31 August 2021. In her letter Mrs Hill had requested that the minutes be amended to reflect what she had said at that meeting asking that the following be removed from the minutes:

“She also advised that the War Memorial Trust had been approached by previous administrations and they had advised the then council that it was acceptable to use a pressure washer to clean the Memorial, which is why the Memorial stone is in the condition it is now in.”

RESOLVED:

1. That the Clerk prepare a statement to the Public regarding the process the Council has followed to date in respect of the War Memorial repairs.
2. That the following be removed from the minutes of the meeting of Council held on 31 August 2021:

“She also advised that the War Memorial Trust had been approached by previous administrations and they had advised the then council that it was acceptable to use a pressure washer to clean the Memorial, which is why the Memorial stone is in the condition it is now in.”

C456 DATE OF NEXT MEETING

RESOLVED:

It was noted that the next meeting of Full Council was scheduled for 7 December 2021 at 7pm at the Burgage Hall.

C457 EXCLUSION OF PRESS AND PUBLIC

Councillor Sinclair stated that he felt there was a need for communication and transparency but understood that there was a need to be careful not to compromise the ongoing potential legal action, noting the point raised by Councillor Eakin that much of the information to be discussed was, at this time, legally privileged.

RESOLVED:

That in accordance with Section 1(2) of the Public Bodies 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.

C458 LEDBURY WAR MEMORIAL

Councillors were provided with confidential documents regarding the War Memorial. Councillor Chowns gave a brief overview on the actions taken to date, noting that he believed the actions taken to date were in line with professional advice received.

Following considerable discussion it was RESOLVED:

- 1. That a ceiling of £10,000 for legal costs be agreed and that it be recorded that should the legal costs appear to be nearing the ceiling this matter be brought back to the Finance, Policy & General Purposes Committee for further consideration.**
- 2. That the Clerk be authorised to instruct the Solicitor to proceed to seek resolution through correspondence as their preferred option in the first instance, noting that the contractors' solicitors have advised it is unlikely that they will be able to provide a response until late November.**
- 3. That should no resolution to this matter be agreed through the correspondence route this matter be brought back to a further meeting of Council to agree a way forward.**
- 4. That the Clerk, Councillor Chowns and Councillor Knight be authorised to continue to work with Caroe and the Conservation Officers to progress the repairs to the War Memorial, to ensure all appropriate actions are taken.**
- 5. That as a response to the Health & Safety Report in relation to the potential trip hazards, officers be instructed to purchase flowerpots to be placed around the War Memorial in an attempt to raise awareness of the hazard.**

The meeting ended at 8:58pm.

Signed Dated
(Chair)

DRAFT