

LEDBURY TOWN COUNCIL

MINUTES OF AN EXTRAORDINARY FULL COUNCIL HELD ON 6 JANUARY 2022

PRESENT: Councillors Chowns, Manns, Sinclair, Bradford, Knight, Whattler, Bannister, Howells, Morris

ALSO PRESENT: Julia Lawrence – Deputy Clerk
Amy Howells – Minute Taker

C485 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Eakin, Harvey and Troy.

C486 DECLARATIONS OF INTEREST

None received.

C487 TO APPROVE AND SIGN THE MINUTES OF A MEETING OF COUNCIL HELD ON 2 DECEMBER 2021

Members were requested to receive and note the minutes of a meeting of Full Council held on 2 December 2021.

RESOLVED:

The minutes of the meeting of Full Council held on 2 December 2021 were received and noted.

C488 TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) AND 3(F)

RESOLVED:

None received.

It was proposed by Councillor Manns that items C491 and C492 be brought forward in the meeting. This proposal was seconded by Councillor Bradford and agreed by Members.

C489 TO GIVE CONSIDERATION ON HOW TO PROCEED WITH COUNCIL MEETINGS IN ACCORDANCE WITH GOVERNMENT COVID GUIDANCE TO “WORK FROM HOME IF YOU CAN”.

A proposal was put forward by Councillor Manns for Council members to continue with face-to-face meetings as opposed to reverting to zoom meetings, noting that no decisions would be able to be made due to legislation having been removed to allow this, in light of the revised Government guidelines in relation to Covid-19. This was seconded by Councillor Sinclair.

RESOLVED:

That Ledbury Town Council continue to hold all council and committee meetings face to face.

C490 DATE OF NEXT MEETING

RESOLVED:

To note that the next meeting of Full Council is scheduled for 3 February 2022 at 7.00 pm.

C491 EXCLUSION OF PRESS AND PUBLIC

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, the press and public are excluded from the remainder of the meeting

C492 UPDATE ON WAR MEMORIAL

It was noted that there had been no correspondence from the Stone Workshop's Solicitors to Red Kite, Ledbury Town Council's Solicitors. Members considered mediation but agreed that this would be costly. Councillor Chowns suggested a further letter be sent by the Council's Solicitors with a deadline of 21-days for a response,

Councillor Bradford questioned why Red Kite Solicitors had been chosen to represent the Council as he believed that they did not have relevant expertise. Councillor Chowns confirmed that the solicitors are familiar with this type of work, i.e., litigation but were not experts in construction. Councillor Manns added that this choice of Solicitor had been approved through Full Council at a previous meeting.

Considerable discussion took place as to how the Council should proceed with this matter

Councillor Manns confirmed that an email had been sent to the Town Clerk from Mr Julian Wintle of Red Kite Solicitors today (6 January 2022) together with a proposed letter to be sent to Stone Workshop. Councillor Chowns read out the email received from Julian Wintle, together with a copy of the proposed letter to be sent to the Stone Workshop. Councillor Bannister considered that Ledbury Town Council should set in motion legal action against The Stone Workshop and agreed that the proposed letter should clearly set out precise instructions, requesting a substantive response within 21 days' thereby setting a deadline of 16.00 hours on 27 January 2022. Councillor Whattler agreed with the course of action but considered that the matter should also be taken to the Police as it was a criminal matter as the company had quoted for works and had subsequently invoiced for goods and services which had not been fully delivered.

A proposal was put forward by Councillor Bradford to take legal action against the Stone Workshop and that Council request the Clerk to instruct the Solicitor to take such action against the Stone Workshop and also send correspondence to the Police expressing the Council's concerns and asking them to investigate the matter, should no response be received from the Stone Workshop by the deadline date. Councillor Sinclair seconded the proposal put forward by Councillor Bradford with a unanimous vote.

Members of the Committee had been presented with a schedule detailing quotation that had been received in respect of the "Clerk of Works" role together with proposed fees for the architects, Caroe.

Committee members were asked to select and approve one of the three companies that Caroe had provide quotes from. Members felt that insufficient information had been supplied for each organisation and Councillor Howells proposed that the Council ask Caroe to provide more information about the companies so that the Council could make an informed choice out of the three companies who would undertake the work required. Councillor Manns seconded this proposal. Councillor Bradford proposed that the Council accept the architect fees. This was seconded by Councillor Sinclair.

Councillor Howells proposed that Council recommend additional costs to the budget. This was seconded by Councillor Chowns and unanimously agreed.

RESOLVED:

- 1. That the Clerk be authorised to instruct the Council's Solicitor to send a letter to the Stone Workshop giving them 21 days to respond, and to then after these 21 days deadline if no response has been received, send correspondence to the Police expressing the Council's concerns and get them to investigate the matter.**
- 2. That the Clerk be instructed to inform Caroe acceptance of their fee's as provided within the report.**

- 3 That the Clerk ask Caroe to provide more information about the three structural engineering companies who had provide quotes in relation to the role of Clerk of Works.**

The meeting ended at 7:06pm.

Signed Dated
(Town Mayor)

DRAFT