

**LEDBURY TOWN COUNCIL
MINUTES OF AN EXTRAORDINARY MEETING OF FULL COUNCIL
HELD ON 18 AUGUST 2022**

PRESENT: Councillors Auburn, Bannister, Beddoes-Davis, Bradford, Chowns, Eakin, Harvey, Howells, Hughes, Manns, Shields, Sinclair, and Sims.

ALSO PRESENT: Angela Price – Town Clerk
Charlotte Barltrop – Minute Taker
18 Members of the General Public

C.577 APOLOGIES

Apologies were received from Councillors Manns and Whattler.

C.578 DECLARATIONS OF INTERESTS

RESOLVED:

To record that Councillor Shields declared an interest in item 9, due to her being a Governor at John Masefield High School.

C.579 TO RECEIVE AND NOTE THE NOLAN PRINCIPLES (STANDING ITEM)

RESOLVED:

That the Nolan Principles be received and noted.

C.580 TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) AND 3(F)

Three members of the public expressed a desire to speak regarding agenda item 9, Buses4Us proposal.

Caroline Green from Ledbury Traders and Business association stated that the buses are especially important and required to enable as many people as possible to come to Ledbury. She confirmed her support for the project.

Sue Stone, a bus user and non-driver, spoke in favour of the project. She stated that the buses to Gloucester are extremely important as Gloucester is a National Express Hub with good rail links and that the only way to get to Cheltenham is through Gloucester. She asked, "What happened to improving the public transport system?"

Gareth Davis from Rail and Bus Herefordshire made a short statement in support of Buses4Us. He stated that it is especially important to have these cross-boundary services that cover all counties and that he fully supported the hard work and professionalism put into this proposal. "We all know that buses

are in crisis. We all know that County Councils are struggling to financially support buses. We all know that Central Government are not supporting buses financially. Therefore, the future of the bus services will fall to the Market Towns.” He advised that he also represents Hereford Sustainable Transport Group who are fully supporting this item and asked that Ledbury Town Council help fund this initiative in order to get it off the ground. He stated that there are similar services which are working well elsewhere. Rail & Bus for Herefordshire were fully supportive of this project as they felt that this could be a model which could extend to other market towns.

MOTION TO MOVE AGENDA ITEM 9

Councillor Sinclair proposed moving agenda item 9 forward to allow members of the public to hear the discussion by Members to enable them to leave following the item.

RESOLVED:

That Agenda item 9 be brought forward.

C.581 Buses4Us proposal

Buses4Us is a project which aims to reinstate the 132 service which was withdrawn and would provide a public transport link between Newent, Ledbury, and Ross-on-Wye. The following points were raised by Members:

Would this project still go ahead if one Council declined to support it?

Claire Stone responded, “Should one town say no then it would be difficult, but we could try.”

Councillor Shields, representing the Governors at John Masefield High School advised: “that 55 students from John Masefield live in Newent and Dymock. Since the loss of the 132-bus service the school has spent a lot of time to ensure that pupils can attend school. This has resulted in a minibus service being provided for 16 students, at the cost of £950 per student from Newent Community Transport. Many students cannot afford this, so the school is subsidising the cost. In spite of this the cost is prohibitive. Also, from a sustainability angle, transportation is one of the biggest issues with climate change.”

Councillor Sims supported Councillor Shields comments in respect of the environmental impact issues, stating that it was clear that the greatest incoming destination was Ledbury, but not the from.

Councillor Bradford stated that in respect of Climate change in England less than 1% of it is attributable to transport. If we look at supplying transport for students, then we should look at all other areas. We should separate the school transport issue from the 132. He advised that he was not convinced as to the

numbers provided in the documents provided and highlighted that there are no numbers on the stagecoach website to evidence this..”

Councillor Bannister stated that he felt the Council should support this project. He stated that there had been some good arguments as to why it is important to the town both personally and from a business point of view. The main reason for the discussion is the £250,000 start-up cost, of which £24,000 is being requested to be pledged by Ledbury Town Council and he reiterated that he felt the Council should support the project.

Councillor Sinclair pointed out that Ledbury has the highest Council Tax rate of any of the towns within Herefordshire, stating that with the precept that is already in place he could not support this.”

Councillor Howells asked whether the £5,000 promised from other local sources would reduce the amount being asked of each Council?

Clare Stone responded to the above points as follows:

With regard the numbers question -During the pandemic there were 60 people per day using the buses. Pre-pandemic that figure was 30% higher at about 80 per day.

In terms of the financial amount, pledge what you can afford. 20% of people in Ledbury do not have access to a car. If the pledges exceed necessity, then we may come back and say that Ledbury does not need to give so much.”

Councillor Auburn considered it worth taking into account that past numbers would be less than the future numbers. With the fuel crisis, 10% inflation and 90% of single parents in fuel poverty he gave his support to the project.

It was put that the cost to run this service, based on the information provided would be £180 per day, with half the users being concessions, which would not be enough to pay the driver.

Councillor Auburn advised that he had spoken with a lady who had advised that her son had lost his job, following the withdrawal of this service, as he could no longer get to Gloucester, he then went onto benefits.

Councillor Beddoes-Davis advised that she was strongly in favour of this project. She advised that she was impressed with the work that had been carried out by Buses4Us and felt that this type of project can lead to grass roots led change.”

The Clerk advised Members that she had received an email from Newent Town Council in which they advised that they had pledged £15,000 but that this is dependent on other Parish/County Councils supporting the financial process.

A member of public was permitted to speak, and they advise that 15 years ago they had set up a community garden on a disused patch of housing association land. The housing association wanted it removed; however, he had got the

parish council involved and things changed. The housing association created a blueprint from this project and now there are many more community gardens. He stated that he believed this project would help others to get up and running, being a blueprint for others.”

Councillor Sinclair proposed that a Parish Council meeting be held so that the residents of Ledbury can have their say on the subject. This was seconded by Councillor Howells

Councillor Harvey did not agree with this proposal as she felt the Council were there to act in the best interests of the town. She stated that Ledbury is fortunate to have the 476, which is an almost hourly service, and good rail links but these are not to Gloucester. Gloucester is important to access higher value jobs. She highlighted a similar project that had been set up in Leominster, noting that this is now self-sufficient. She stated that there enough reasons to pledge this money and that the Council should be confident enough to make that pledge and suggested that the Council hold a budget consultation in the autumn. She expressed her support for the project.

Members were reminded that the was a proposal on the table and that a vote should be taken. A named vote was requested.

The outcome of the vote on the proposal to hold a Parish Meeting was as follows:

For	Against	Abstention
Councillor Hughes	Councillor Sims	Councillor Auburn
Councillor Bradford	Councillor Shields	
Councillor Sinclair	Councillor Harvey	
Councillor Howells	Councillor Chowns	
	Councillor Morris	
	Councillor Bannister	
	Councillor Beddoes-Davis	

The vote was therefore lost.

Councillor Shields left the room at 19.43.

A vote was taken that Ledbury Town Council pledge up to £24k to support the Buses4Us project.

The outcome of the vote was as follows:

For	Against	Abstention
Councillor Sims	Councillor Hughes	
Councillor Shields	Councillor Bradford	
Councillor Harvey	Councillor Sinclair	
Councillor Auburn		
Councillor Chowns		
Councillor Morris		

Councillor Bannister
Councillor Beddoes-Davis
Councillor Howells

RESOLVED:

That Ledbury Town Council pledge up to £24,000 to the Buses4Us project, to be included in the 2023/24 annual budget.

C.582 TO RECEIVE MOTIONS PRESENTED BY COUNCILLORS IN ACCORDANCE WITH STANDING ORDER 9 (STANDING ITEM)

The following motions were received from Councillor Hughes, seconded by Councillor Howells:

1. Ledbury Town Council will, without delay, appoint an independent and appropriately experienced consultant to investigate the processes and practices of Ledbury Town Council during the procurement of services for, and supervision of works to the Ledbury Memorial in 2020. A full specification for the investigation will be drawn up by the Finance, Policy and General Purposes Committee and put to Full Council on 29 September 2022.

Councillor Harvey enquired as to whether Ledbury Town Council had exhausted their own capacity to investigate this matter and if this was why Councillor Hughes was proposing an external investigation. She asked what investigations had been undertaken to date, as she believed there were a couple of key moments when she believed the council had not precisely followed the financial regulations and standing orders in terms of procurement and signing off of works.

Councillor Shields asked for clarity on why the council need the investigation and how much would it cost?

Councillor Howells advised that he had seconded the motion because very early on the public had asked whether the Council were going to tell them what went on, and he believes that Councillor Hughes proposal to engage someone independent at the process followed will show the public that the Council are prepared to investigate themselves.

Councillor Chowns stated that he had thought that the two issues involved had been separated.

- a, What went wrong.
- b, The need to repair the memorial.

Councillor Hughes responded to Councillor Harvey's earlier question advising that as far as he was aware no investigation had taken place by any member of this Council, either Councillor or Officer. He advised that there were clearly some problems with the procurement, due diligence and supervision and signing off of the work. He stated that the Council have a collective

responsibility to what happened to investigate this to ensure that something like this does not happen again.

Councillor Hughes advised that previously the Council had agreed a three-stage approach:

1. To seek recompense from the contractor
2. To put it right
3. To make sure that it never happens again.

He advised that he believes the Council is now at a point whereby they can do stage three and that this should be done publicly.

Councillor Harvey stated that she agreed and that she was in favour of “learning from our mistakes.” She stated that an internal investigation would likely reduce the cost of an external investigation as it would get the paperwork in order and ensure that Ledbury Town Council understand their own governance processes before providing a specification to an outside organisation to review.

It was pointed out that with the upcoming works to the Market House, any chance to learn from previous mistakes is worthwhile.

Councillor Sinclair stated he believed a transparent report is required for the people of Ledbury, who deserve an honest answer to this situation.

Following further discussion Councillor Auburn proposed an amendment to the proposal as follows:

Ledbury Town Council will, without delay, appoint, **subject to quotes**, an independent and appropriately experienced consultant to investigate the processes and practices of Ledbury Town Council during the procurement of services for, and supervision of works to the Ledbury Memorial in 2020. A full specification for the investigation will be drawn up by the Finance, Policy and General Purposes Committee and put to Full Council on 29 September 2022.

A vote was taken to accept the amendment to the original proposal put forward by Councillor Hughes the outcome of which was that the amendment be accepted.

Councillor Harvey proposed a further amendment to what was now the substantive motion that the Council undertake their own investigation first in order to minimise the cost of the public purse of any external investigation should that subsequently prove necessary.

Following considerable discussion Councillor Hughes clarified what he believed Councillor Harvey to be proposing.

That a full specification for the investigation be drawn up. That this would include whoever this council appoints to do this, suggesting that this be Members of the Finance, Policy & General Purposes Committee who were not

involved in the Council before this happened. That those selected could as part of the drawing up of the full specification, do an investigation on behalf of the Council as internal investigator and that they bring together all the papers that might be necessary in order for a full specification to be drawn up. Councillor Hughes stated that he hadn't clearly stated in the original motion what that full specification would be but if the Council wish to proceed to include an internal investigation this should be carried out by the Finance, Policy & General Purposes Committee.

Councillor Harvey proposed, seconded by Councillor Bannister, the following amendment to what was now the substantive motion:

Ledbury Town Council will, without delay, appoint, subject to quotes, an independent and appropriately experienced consultant to investigate the processes and practices of Ledbury Town Council during the procurement of services for, and supervision of works to the Ledbury Memorial in 2020. A full specification for the investigation, **including the outcome of an internal investigation**, will be drawn up by the Finance, Policy and General Purposes Committee and put to Full Council on 29 September 2022.

Councillor Sinclair pointed out that much of the preparatory work had been done, due to information being provided in response to several FOI requests,

A vote was taken to accept the amendment to the now substantive proposal, the outcome of which was that the amendment be accepted.

RESOLVED:

That Ledbury Town Council will, without delay, appoint, subject to quotes, an independent and appropriately experienced consultant to investigate the processes and practices of Ledbury Town Council during the procurement of services for, and supervision of works to the Ledbury Memorial in 2020. A full specification for the investigation including the outcome of an internal investigation will be drawn up by the Finance, Policy and General Purposes Committee and put to Full Council on 29 September 2022.

2. For all future works of £5,000 or more, Ledbury Town Council will appoint an appropriately qualified and experienced 'Clerk of Works' to oversee and inspect all aspects of the works. The Clerk of Works must report that work projects are completed to the required specification and to an appropriate standard before any staged payment or final payment is made. Costs for the appointment and reports of the Clerk of Works will be included in the total cost of the works.

Councillor Harvey stated that Ledbury Town Council rules say that everything should be signed off. This includes all works, at Dog Hill Woods, the Cemetery, the old churchyard, the skatepark, the playground etc. Any Clerk of Works needs to be competent to sign off on the works which they are looking at, and therefore they would need to be competent in the project being undertaken.

Councillor Shields asked that the motion be amended to read, “in line with finance regulations.” and, “experienced in the work to be carried out.”

The Clerk stated that Finance Regulations do provide for making withholding payments, subject to final approval and signing off of works.

Councillor Hughes Summed up by stating that it is self-evident that Ledbury Town Council spent money without finding out if the work carried out was in line with the specification. Ledbury Town Council should not put Members and officers in position where they are required to approve professional works/projects. He advised that at the last grants meeting it was raised that Ledbury Town Council should have a Clerk of Works and this motion makes it clear that there is a need.

Councillor Sinclair called for a named vote.

For	Against	Abstention
Councillor Hughes	Councillor Morris	Councillor Shields
Councillor Bannister		Councillor Auburn
Councillor Bradford		Councillor Chowns
Councillor Howells		Councillor Beddoes-Davis
Councillor Sinclair		Councillor Harvey

RESOLVED:

That for all future works of £5,000 or more, Ledbury Town Council will appoint an appropriately qualified and experienced 'Clerk of Works' to oversee and inspect all aspects of the works. The Clerk of Works must report that work projects are completed to specification and to an appropriate standard before any staged payment or final payment is made. Costs for the appointment and reports of the Clerk of Works will be included in the total cost of the works project.

C.583 MINUTES OF A MEETING OF COUNCIL HELD ON 4 AUGUST 2022

RESOLVED:

That the minutes of the meeting of Council held on 4 August 2022 be approved and signed as a correct record.

C.584 TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 28 JULY 2022 AND CONSIDER ANY RECOMMENDATIONS THEREIN

Members were requested to give consideration to a recommendation from the Finance, Policy & General Purposes Committee, that Ledbury Town Council no longer pay for the electricity supply for the running of the BBI Clock, due to the Poetry Festival now being tenants of the BBI building.

RESOLVED:

1. That the minutes of the Finance, Policy & General Purposes meeting of Council held on 28 July 2022 be received and noted.
2. That Ledbury Town Council no longer pay for the electricity supply for the running of the BBI Clock, due to the Poetry Festival now being tenants of the BBI building.

C.585 MASTER'S HOUSE LANDSCAPING PROJECT

Councillor Harvey proposed that, due to time constraints at this meeting, this item be moved to the meeting of the Full Council scheduled to be held on 29 September 2022.

RESOLVED:

That this item to the next meeting of Full Council, to be held on 29 September 2022.

C.586 RECOMMENDATION FROM ECONOMY & PLANNING COMMITTEE

Members were requested to approve the following recommendation from submitted by the Economy & Planning Committee:

1. That Councillor Bannister represent Ledbury Town Council at the appeal in respect of Planning Application 201718 Land South of Leadon Way & East Dymock Road, Ledbury, Herefordshire, HR8 2JQ – Deeley properties Ltd & Countrywide Farmers PLC.

For: Councillors Bannister, Howells, Morris, Shields, and Sims
Against: Councillor Bradford.

2. That Councillor Bannister be given a mandate to read a statement out at the appeal in support of the Councils original position in objecting to this application on the grounds of retail impact on the town centre.

RESOLVED:

That the recommendations submitted by the Economy & Planning Committee as above be approved,

C.587 DATE OF NEXT MEETING

RESOLVED:

To note that the next meeting of Full Council is scheduled for 29 September 2022 at 7.00 pm

C.588 EXCLUSION OF PRESS & 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, it is advisable in the public interest that the press and public are excluded from the remainder of the meeting

C.589 CCTV/LIGHTING COSTS

Members were requested to give consideration to information in relation to the outcome of recent communications with the Community Hall Trustees and Management Committee in respect of the cost of electricity and associated costs for the housing of the CCTV in the Community Centre.

Members were provided with the background of the agenda item and advised that an invoice had now been received for just over £3,000, which leaves a figure of £1,998.67 owed to Ledbury Town Council, by the Community Hall Trustees, minus the current invoice of £146.38.

Councillor Harvey stated that she was pleased to see sense prevailing but that she was not surprised at the content of the correspondence received from the Community Hall. She also stated that she did not see why an inaccurate amount should be paid for the Electricity and that if the sum was accurately calculated then the bill should be paid and any monies which have been overpaid should be returned. Councillor Harvey also expressed that Ledbury Town Council should move with all haste to link into the Herefordshire Council CCTV as this would be money well spent to protect the towns assets and users and to ensure that they felt safe. She also stated that all of this information should be in the public domain.

RESOLVED:

- 1. That members accept the figure of £3,099.36 received from Mr Eager for the cost of the electricity for the three-year period 1 April 2019 to 1 March 2022.**
- 2. That members instruct the Clerk to request that the overpayment of £1,988.67 be repaid to the Council, minus the sum of £146.38, which is the amended amount for the supply of electricity for the period of 1 April to 1 July 2022 and that if these funds are not repaid to the Council, this amount be offset against future invoices received from the Community Hall Association.**

3. That the Clerk be instructed to progress the integration of the CCTV at the recreation ground with that of the CCTV provided by Herefordshire Council.

The meeting ended at 9.30 pm

Signed Date

(Town Mayor)

DRAFT