

LEDBURY TOWN COUNCIL
MINUTES OF A MEETING OF FULL COUNCIL
HELD ON 28 SEPTEMBER 2023

PRESENT: Councillors Bradford, Chowns, Eakin, Furlonger, Harvey, Howells, Hughes, l'Anson (Town Mayor), McAll, Newsham and Morris

ALSO PRESENT: Angela Price -Town Clerk
Charlotte Barltrop – Minute Taker
Julia Lawrence – Deputy Town Clerk
6 Members of the Public
Councillor Justine Peberdy
Councillor Stefanie Simmons

C97. APOLOGIES FOR ABSENCE

Apologies for late arrival were received from Councillor Furlonger.

C98. DECLARATIONS OF INTERESTS

Councillor McAll declared an interest in item 15.i.a. Santa Dash at Ledbury RFC.

C99. NOLAN PRINCIPLES

RESOLVED:

That the Nolan Principles be received and noted.

C100. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF EXTRAORDINARY FULL COUNCIL HELD ON 6 SEPTEMBER 2023

Members asked whether the minutes could be accepted due to the resolution made in respect of John Masefield Memorial Working Party having been taken ultra vires, as a result of advice received.

The Clerk informed members that the minutes are a record of the meeting and should be approved as such and that the findings from recommendations as a result of discussions in relation to agenda item 11 would inform any amendments to those minutes and which would be dealt with accordingly.

RESOLVED:

That the minutes of the extraordinary meeting of Council held on 6 September 2023 be approved and signed as a correct record, subject to the following amendments:

C91 - In the second paragraph the words “the works to” should be removed.

C91 - Resolution – final sentence - that “had been taken” replace the word “has”.

C101. HEREFORDSHIRE COUNCILLORS' REPORTS

Councillor Harvey spoke about the Master's House Landscaping project and the proposed railings. She informed Council that there are three different designs of railings for the space and that there is a design issue whereby the railings do not meet correctly at the corner. Councillor Harvey also brought to the Member's attention that whilst the trunking and hatch are being installed for the electric supply, there will be no cabling or actual electric supply connected due to budget issues on the project.

Councillor Harvey also informed the meeting that the decision had been made post planning permission to add railings to the access ramp, with Health & Safety being mooted as the reason. Whilst there is a similar ramp in existence at the other side of the car park which does not have railings.

Members discussed whether a contribution from Ledbury Town Council was feasible or whether Herefordshire Council should be contacted to petition them to reconsider the refusal of funds and the changes to the design which have occurred post planning permission being granted, as well as to reiterate the impact that the lack of electricity in the space will have for the usage by the town.

Councillor Morris advised that he had attended a meeting regarding this project, with the Clerk and the Project Manager, who advised that as things stood at the current time, the project would be proceeding as planned as per the instructions he had been given.

The Clerk addressed the point that the land is Herefordshire Council land which had been made by Councillor Bradford. She advised that during the meeting with the project manager and estates officer she had enquired as to what was on the table for Ledbury Town Council with regard to this space and the answer which had been forthcoming was that everything was on the table, that potentially could mean a licence to occupy, a lease or a Community Asset Transfer (C AT). The Clerk advised that it had been suggested that if the Town Council were interested in taking over the space, a licence to occupy would be the sensible starting point, so as to enable the Town Council to establish

whether the use of the space was viable. She advised that potentially the estates officer had suggested the licence to occupy would be free of charge for the first 5 years, and if the Town Council were to offer any funds towards the railings and electricity these could be off-set against any future agreement in respect of this area. She advised that the estates officer would be sending information on all three options which will be provided to a future meeting for consideration.

Councillor Harvey proposed that Ledbury Town Council write to Herefordshire Council on behalf of the Council to press them to complete the promised works as per the planning permission.

Councillor Howells reiterated that Councillors should sign up for the automatic alerts for which Councillor Harvey had provided a link within her report.

Councillor Peberdy raised the issue of the stealthy removal of the London to Herefordshire train route by GWR. She informed the meeting that other Councils in the area who have been affected by this were contacting GWR to request the reasons for this and to put the case for the service to remain. Councillor Peberdy requested that Ledbury Town Council act similarly.

Councillor Simmons updated members on the works which are being carried out on the Southend by Welsh Water. Having spoken to the parties involved she has been assured that the issues with the temporary lights has been resolved and that the parking issue has been circumvented by the works being undertaken in 100m sections.

RESOLVED:

- 1. That the Ward Reports be received and noted.**
- 2. That the Clerk be instructed to write to Herefordshire Council regarding the issues with the Master's House Landscaping project demanding absolute statement on the Health & Safety reasons for the changes to the agreed plans and that the undertake the installation of an electricity supply to the site as a matter of urgency, at the cost to Herefordshire Council**
- 3. That the Clerk be asked to write to GWR regarding the withdrawal of the London to Herefordshire service.**

It was agreed that agenda item 7 be brought forward to allow members of the public who were present at the meeting to speak in respect of the Master's House.

C102. TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) AND 3(F)

Three representatives from the Friends of the Master's House were present at the meeting to speak about the Master's House Landscaping project issues.

They quoted that the planning application seeks to enhance and improve the land around the (Grade 2) Master's House. Conservation areas of historic interest are covered by planning legislation to preserve and enhance their character, the Master's House is situated in Ledbury conservation as set out.

They spoke in support of Councillor Harvey's report and the concerns which she expressed regarding the railings. They appealed to both Herefordshire Council and Ledbury Town Council to ensure that the Master's House Landscaping Project will be in line with the original planning permission to become a genuine enhancement of the Master's House and an area that Ledbury can be proud of.

C103. MAYORS COMMUNICATIONS

Councillor l'Anson updated members on events and work which had been carried out since the last Full Council meeting. Councillor l'Anson did express her disappointment at the lack of support from other members of the Council at these events and her hopes that a greater presence will be at the Civic Service on Sunday, 1 October 2023.

Councillor l'Anson informed members that a competition had been held to design a hedgehog house for the cemetery and that the winner had been chosen. She informed members that Bromyard Men's Shed had agreed to construct the winning entry and that this organisation was keen to expand into Ledbury, pending a suitable venue being found.

Councillor l'Anson reminded members that a litter pick was due to be held at 3pm on Friday, 29 September, starting at the Market House and that she hoped to welcome as many Councillors as possible to take part in that event.

C104. TO RECEIVE MOTIONS PRESENTED BY COUNCILLORS IN ACCORDANCE WITH STANDING ORDER 9

i. Notice of Motion received from Councillor Hughes:

"That Ledbury Town Council apply to Herefordshire Council for a full review of traffic signage in Ledbury; specifically, the weight and length prohibitions and advisory notices; and the boundary signs for the Town Centre.

The weight/length signage is inconsistent, inadequate, poorly sited and in the case of the Worcester Road into Ledbury is non-existent.

As Police Liaison Councillor for Ledbury Town Council I have spoken with Ian Connolly, Traffic Management Adviser, West Mercia Police, who advises LTC to take this action.

We seek the support of Ledbury Ward Councillors in Councillors Harvey, Simmons and Peberdy and ask that they include this in their Ward reports to this meeting.

The intention is to dissuade drivers of heavy goods vehicles from driving through Ledbury and to provide timely “positive advice” about alternative routes.”

Councillors discussed the points raised by Councillor Hughes and agreed that this had been a longstanding issue in Ledbury. It was suggested that signage be changed to be more positive and that an alteration to Sat Nav information should be made as many drivers were following their devices rather than the current signage.

Councillors also discussed contacting other Market Towns, who may be experiencing similar issues, to add weight to any communication with Herefordshire Council.

RESOLVED:

- 1. That Ledbury Town Council request Herefordshire Council undertake a full review of traffic signage in Ledbury: specifically, the weight and length prohibitions and advisory notices; and the boundary signs for the Town Centre.**
- 2. That the Clerk discuss this issue with other Town Councils in Herefordshire to ask them to request a similar review.**

C105. THAT ITEM 20 BE BROUGHT FORWARD TO ALLOW MEMBERS TO GO INTO CLOSED SESSION POST THIS ITEM

RESOLVED:

That item 20 be brought forward within the agenda.

C106. MARKET TOWN FUND

Members discussed the three items which had been highlighted as not being within budget on the list of works to be carried out as part of the Market Town Funding. Whilst all three items were deemed to be important, Members considered the issue at The Homend & Robinsons Meadow, in respect of drainage and surface works should be addressed, due to the Health and Safety

risk which was presented by the surface when there are adverse weather conditions.

The Clerk advised members that during the initial meeting with Balfour Beatty herself and the then Mayor, Councillor Howells, were presented with a list of items which the advice was could be completed within the Market Town Fund budget.

It was noted that the area in question is a PROW and therefore the responsibility for this pathway sits within the remit of Herefordshire Council, as the County Council, and not that of Ledbury Town Council and that Herefordshire Council should undertake the repairs as part of an annual programme and not put the responsibility of deciding a budget for these works onto a Parish Council.

It was also suggested that as this pathway runs adjacent to the site where McCarthy Stone are proposing a development, Herefordshire Council may wish to consider requesting S106 funding for these works if the development is approved.

RESOLVED:

- 1. That the Clerk advise Herefordshire Council that Ledbury Town Council wish them to proceed with the seven items which have been costed as per the list provided.**
- 2. That Herefordshire Council be asked to programme the works to The Homend and Robinsons Meadow as a priority, and that if the McCarthy Stone application to development the adjacent site Herefordshire Council consider requesting S106 funding for these improvements.**

Members were advised that there was a second Notice of Motion that had been submitted by Councillor Howells, however due to the nature of the Motion it had been included on the agenda for consideration in confidential session.

Members were asked if they would agree to this item being brought forward to allow Councillor Howells, who was unwell, to leave the meeting early.

Members agreed to bring the item forward.

C107. 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 be excluded from the remainder of the meeting.

C108. TO RECEIVE MOTIONS PRESENTED BY COUNCILLORS IN ACCORDANCE WITH STANDING ORDER 9

- ii. A further Notice of Motion has been received from Councillor Howells, however due to the nature of the Motion it is advisable that this be considered in confidential session of the Council meeting.

RESOLVED:

That Council agrees to pay the Town Clerk an additional compensatory payment, without prejudice, in the sum of £1,080.

C109. RETURN TO OPEN SESSION

The meeting was RE-opened to the public and members of public and staff who had been asked to leave whilst agenda item 9.ii was discussed were invited to return to the meeting.

Councillors Bradford and Howells left the meeting at 9.00pm.

C110. SUSPENSION OF STANDING ORDER 3(x)

RESOLVED:

To suspend Standing Order 3(x) for a period of 30 minutes and that Members give consideration to priority items within the agenda for consideration, with the remaining business to be considered at a reconvened meeting.

C111. TO RECEIVE AND NOTE THE MINUTES OF MEETINGS OF THE PLANNING, ECONOMY & TOURISM COMMITTEE HELD ON 10 AUGUST AND 14 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

That this item be deferred to a reconvened meeting due to time constraints.

C112. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE ENVIRONMENT & LEISURE COMMITTEE HELD ON 7 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

That this item be deferred to a reconvened meeting due to time constraints.

C113. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 21 SEPTEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

- 1. That the minutes of the meeting of the Finance, Policy & General Purposes Committee held on 21 September 2023 be received and noted.**
- 2. That the Committee Structure Working Party be asked to make an early recommendation regarding how to improve the operation and structure of all Working Parties and return their decision to Full Council as soon as possible.**
- 3. That noting that the previous decision made at the Extraordinary Full Council meeting was ultra vires and therefore does not stand, this record should be struck from the record of the minutes.**
- 4. That the John Masefield Memorial Working Party continue to exist under the umbrella of Ledbury Town Council until such time as a further decision has been made on the function of Working Parties.**
- 5. That the Clerk write to the Ledbury & District Civic Society to thank them for their letter in respect of the letter they had submitted and Mr Keyes attendance at the meeting.**

C114. MINUTES OF A WAR MEMORIAL SITE VISIT HELD ON 20 SEPTEMBER 2023 AND THE CERTIFICATE OF PROGRESS PAYMENT IN RESPECT OF WORKS CARRIED OUT TO-DATE ON THE WAR MEMORIAL

RESOLVED:

That this item be deferred to a reconvened meeting due to time constraints.

C115. UPDATE ON OUTCOME OF LETTER SENT FROM THE MAYOR TO COUNCILLOR SINCLAIR REQUESTING THAT HE PROVIDE A WRITTEN APOLOGY TO THE CLERK AND A VERBAL APOLOGY TO COUNCILLORS AT THIS MEETING OF COUNCIL

The Mayor advised that a letter requesting an apology to the Clerk and Councillors was sent on 1 September 2023 by recorded delivery and signed for by Cllr Sinclair on Saturday, 2 September 2023. She advised that no response had been received to this letter, and that the Clerk had not received a written

apology; she noted that Councillor Sinclair was not at the meeting and therefore had failed in the request to provide a public apology at this meeting to councillors.

She advised that a second letter had been sent to Councillor Sinclair on 20 September 2023 advising that as far as the council is concerned, the matter of the issues he has raised over a sustained period of time in relation to the War Memorial, with the exception of the apologies, is now at an end. She advised that no response has been received to this letter.

The Mayor also advised that the Clerk had contacted the Council's solicitors with regard a meeting to discuss a "cease and desist" letter being sent to Councillor Sinclair – the cost for which had been quoted as follows:

"If it should transpire that there is no insurance assistance available for the Town Council, the assistance in this matter would fall under a private paying basis.

As the matter has a history, Emma has indicated that her fees for

- a meeting with you as requested,*
- perusal of any key documents you have available,*
- our letter of advice to the Council; and*
- preparation of a cease-and-desist letter to the Council Member concerned, together with consideration of any reply*

would fall in the region of £1000 - £1500 plus VAT."

It was reported that approval would be required from Council of these costs and for the Clerk and Mayor to proceed.

Members were advised that the Clerk had been in touch with the Council's insurance company, and it does look like the council is covered for these costs, however it would be wise to get further confirmation on this now that costs and details are available.

The Mayor advised that a complaint had been filed with the Monitoring Officer in respect of what the council consider are breaches of the code of conduct by Cllr Sinclair – an update was received on from the Monitoring Officer's office on Tuesday, 19 September advising that Cllr Sinclair has requested an extension to respond to the complaint which he has been given until 6 October to respond.

Members enquired as to whether the Council's insurance would cover these costs. The Clerk informed members that initial indications were that it would, however she would ensure that this question had a definitive answer as soon as possible.

RESOLVED:

That members agreed to pay the cost of the letter being sent to Councillor Sinclair, in the sum of £1,000 to £1,500.

Councillor Eakin left the meeting at 9.17pm

C116. TO RECEIVE INVOICES FOR PAYMENT SEPTEMBER 2023

Councillor Harvey queried the line where a fee was paid to Blachere for the storage of the Christad Lights. She questioned why, when we rent the lights for the festive period, we are paying for the company to store them during the year.

The Clerk advised that this is part of the agreement which had been entered into by the Council and that she would recommend looking at alternative suppliers for 2024.

RESOLVED:

That the invoices for payment in the sum of £3,382.34 (plus VAT) be approved.

C117. RECOMMENDATIONS FROM OTHER COMMITTEES

- i. Environment & Leisure Committee
 - a. That Ledbury Town Council approve officers working with the Rugby Club to hold a "Santa Dash" as per attached information.

RESOLVED:

That members approved officers working with Ledbury Rugby Club to hold a "Santa Dash" on the morning of Sunday, 26 November 2023.

- b. That an annual event similar to a Village Fete be held by Ledbury Town Council on the Bank Holiday Monday of the Spring Bank Holiday
- ii. Planning, Economy & Tourism
 - a. That the Traffic Management Working Party be authorised to work with Clare Stone to explore the possibility of S106 monies being used for a "Ledbury Hopper" type service.
 - b. S106 Wish List - Minute P93 refers

RESOLVED:

That items 15.i.b., 15.ii.a. and 15.ii.b. be deferred to a reconvened meeting due to time constraints.

C118. INTERNAL AUDIT REPORT ON REVIEW OF POLICIES AND PROCEDURES

RESOLVED:

That this item be deferred to a reconvened meeting due to time constraints.

C119. RECOMMENDATIONS FROM TASK & FINISH GROUP TO REVIEW THE COUNCIL'S COMMITTEE STRUCTURE

RESOLVED:

- 1. That the actions and timeline outlined in the report to enable an improved governance and decision-making process to be approved and that these be put in place to enable them to be completed and adopted at Annual Council in May 2024.**
- 2. That the Internal Auditors report in respect of the review of procedures and processes be used to help inform the outcome of the above.**

C120. OUTSIDE BODIES

- i. Response from Ledbury Food Group to advise that they confirm they are happy to welcome Councillor Morris as the Council's representative for the municipal year and continued representation from the Council in the future.**
- ii. Minutes of a meeting of the Ledbury Strömstad Twinning Association – 21 July 2023**
- iii. Minutes of a meeting of Ledbury Carnival Association –23 August 2023**

RESOLVED:

That this item be deferred to a reconvened meeting due to time constraints.

C121. OFFICER REPORTS

- i. Town Clerk
- ii. Deputy Clerk (To follow)
- iii. Community Development Officer

RESOLVED

That this item be deferred to a reconvened meeting due to time constraints.

C122. RESTORATION OF WAR MEMORIAL SUGGESTION

RESOLVED

That this item be deferred to a reconvened meeting due to time constraints.

C123. REQUEST FOR COUNCIL REPRESENTATION AT A PUBLIC MEETING TO DISCUSS “HOW CAN WE SOLVE HOUSING PROBLEMS”

Members expressed that they would not be able to send a representative as, in order to answer for the Council, they would need to know any questions in advance of the meeting.

RESOLVED

That the Clerk be instructed to decline the invitation on the grounds that one councillor cannot represent the Council in this manner.

C124. REQUEST FROM THE FAMILY OF WILLIAM TURBERFIELD, FOR LEDBURY TOWN COUNCIL TO CONSIDER A MEMORIAL TO BE PLACED IN LEDBURY AS A PERMANENT REMINDER OF “BILL THE BELL” AND HIS SERVICE TO LEDBURY AS TOWN CRIER FOR 18 YEARS.

RESOLVED

That this item be deferred to a reconvened meeting due to time constraints.

C125. DATE OF NEXT MEETING

RESOLVED:

That the next meeting of Full Council be a reconvened meeting with the date to be confirmed.

The meeting was adjourned at 9.36 pm.

Signed Dated
(Town Mayor)