

**LEDBURY TOWN COUNCIL
MINUTES OF A MEETING OF FULL COUNCIL
HELD ON 28 MARCH 2024**

PRESENT: Councillors Furlonger, Harvey, Howells, Hughes, L'Anson (Mayor), McAll, Morris and Newsham.

ALSO PRESENT: Angela Price – Town Clerk,
Julia Lawrence – Deputy Town Clerk,
Olivia Trueman – Community Development Officer
Trudie McGinnis – Minute Taker.

C207. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Bradford, Councillor Chowns, and Councillor Sinclair.

C208. DECLARATIONS OF INTERESTS

None declared.

C209. NOLAN PRINCIPLES

RESOLVED:

That the Nolan Principles be received and noted.

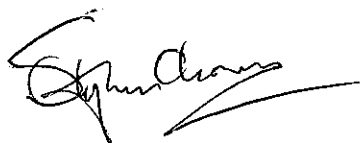
C210. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF AN EXTRAORDINARY MEETING OF FULL COUNCIL HELD ON 28 FEBRUARY 2024

Councillor Howells asked permission to right of reply in respect of his personal statement that he made at the meeting of Council on 28 February 2024.

He advised that since that meeting he had thought a lot about the situation and that he felt the Council owe it to the public to move on, noting that there are currently some excellent Councillors on the Council, and he feels that it is time to find a way to move forward.

Councillor Howells informed Members of a comment that had been shared with him from a prominent member of the town who had stated that “he believes the staff at the Council are the best that he has ever seen since living in the town”.

He stated that he believed that Councillors owe it to the excellent team of staff as well as members of the public to find a way to move on and added that he was willing to do so for the betterment of the Council and that he hoped his Council colleagues were willing to do the same.



The Mayor brought Members attention to Resolution no. 4 of minute no. C206 and advised of correspondence received from the Monitoring Officer in respect of this minute.

The advice received by the Clerk had been that whilst, the Monitoring Officer recognised that Councillor Howells had stated he wanted his statement to be attached to the minutes, and that minute no. C206 reflected this as a resolution, they did not consider it to be in the public interest for the statement to be attached to the minutes, and therefore their advice was to not include the statement as part of the minutes.

Councillor Harvey pointed out that in order for Council to consider the above it would be necessary to suspend Standing Orders.

RESOLVED:

That Standing Orders be suspended for the purpose of considering and voting on the advice received from the Monitoring Officer.

Councillor Howells proposed that in line with the advice received from the Monitoring Officer, the statement read out by him at the extraordinary meeting of Council held on 28 February 2024, not be attached to the minutes of that meeting.

RESOLVED:

- 1. That in line with the advice received from the Monitoring Officer the statement read out by Councillor Howells at the extraordinary meeting of Council held on 28 February 2024, not be attached to the minutes of that meeting.**
- 2. That Standing Orders be reinstated.**


Councillor Hughes raised concerns over being asked to vote on something without sufficient notice and asked that in future Members be given more notice on items that are to be considered in meetings.

- 3. That the minutes of the meeting of the Extraordinary meeting of Full Council held on 28 February 2024 be approved and signed as a correct record, subject to the following amendments:**

Page 1176 Minute No. 206 – paragraph 6 be amended to read as follows:

“....ability of the Council due to the *affect* of his behaviour upon the Clerk.”

Page 1178 Minute No. 206 penultimate paragraph be amended to read:



“Thanks were expressed for Councillor Howells past and continuing service to the Council,”.

C211. HEREFORDSHIRE COUNCILLORS’ REPORTS

To receive reports from Ledbury Ward Members:

- i. Councillor Harvey
- ii. Councillor Peberdy
- iii. Councillor Simmons

Councillor Howells expressed his disappointment that the Traffic Regulation Order (TRO) at Woodleigh Road would not be going ahead. He gave support to the potential work to improve the access onto Riverside Walk from Little Marcle Road. He also expressed concern over the Ledbury Neighbourhood Plan potentially being ignored in respect of further housing developments to the South of Ledbury within the Local Plan.

RESOLVED:

That the Ward Councillor reports be received with thanks.

C212. MAYORS COMMUNICATIONS

The Mayor provided an update on a number of events and meetings that she had attended since the last meeting of Council.

She advised Members of some future events:

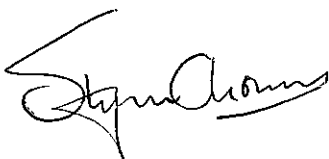
4 April, a Meet and Greet for the Strömstad visitors. The Mayor appealed for Councillors to attend if possible.

14 April is the Mayor’s Mile, stewards are needed and an appeal for people to volunteer was made.

Ledbury’s Got Talent will be taking place on the 3 May and advised that applications are coming in and it is hoped that a semi-finalist in Britain’s Got Talent 2018 will be a judge at this event.

C213. TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) AND 3(F)

A member of the public spoke about an email that had been sent to Ledbury Town Council from the Scouts requesting permission to hold an event in St. Katherine’s Square. The Clerk advised that she had not received an email from the Scouts and that had she received an email she would have advised that they should seek permission to use the square from Herefordshire County Council.



The member of the public then spoke about his parking on St. Katherines Square, outside of The Barn whilst undertaking renovation work or deliveries of supplies. They stated that they have the right of way as owners of the Barn. However, he advised that he had been advised by some Councillors that he was not permitted to park in this area.

They spoke, at length, about how events on the square could be beneficial to the town, including the Farmers Markets.

He advised that he feels when people, like the Mayor, come and give such a negative approach they take exception to it, and see this as an abuse of power. He went on to say that if these people came across his premises again in the future then they would be banned from the premises.

Councillor Harvey offered to meet with the owners of the Barn to discuss the issues raised, reiterating that it is not a Ledbury Town Council issue, due to the space currently being under the ownership and management of Herefordshire County Council.

A member of the public asked, 'Is crime the evolution of society'. They were advised that this is a complex question and not one that could be answered in this meeting.

C214. UPDATE FROM LEDBURY POLICE REPRESENTATIVE

Members were advised that the Clerk had not received any notification from PC 21946 Jack Davies as to why he was unable to attend the meeting.

C215. TO RECEIVE MOTIONS PRESENTED BY COUNCILLORS IN ACCORDANCE WITH STANDING ORDER 9

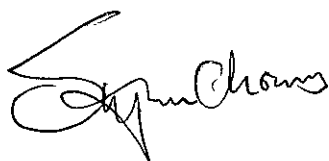
Proposed by Councillor l'Anson, Seconded by Councillor McAll.

That this Council provide an apology to its most senior member of staff for their failings in carrying out their duty of care to them over the past 3½ years

Councillor Harvey read out the report relating to item 9, which had been provided to Members prior to the meeting

"This Council provides an apology to its most senior member of staff for their failings in carrying out their duty of care to them over the past three and a half years"

Background:- Within two days of our Clerk taking up her role at Ledbury she was asked to arrange a meeting to discuss works on the war memorial. She had had no handover period, the temporary Clerk only gave her one day of assistance, there were only two members of staff in the office, and they were part-time. The temporary Clerk's filing was non-existent, information was



difficult to find, proper procedures and processes were not in place and the pressure from Councillors on the new Clerk was immense. Then Covid hit.

The lack of moral support in public, e.g. the council meeting in August 2021 over accusations levelled at the Clerk concerning the war memorial restoration has taken its toll and there has been no public condemnation of the false claims against the Clerk over the 'chimney' allegation. Added to this are the continual staffing problems and slurs and judgements on her work made by some Councillors which have made her workload intolerable. We need to step up, exercise our duty of care and make public our unreserved apology for our lack of support to our Town Clerk."

Councillor McAll spoke at length about the lack of duty of care towards the Clerk and it was for this reason, that he was seconding this motion. He urged that going forward, such issues need to be dealt with swiftly and robustly.

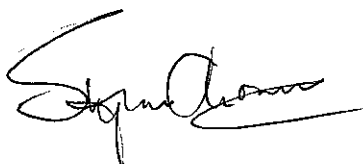
Councillor Howells voiced his support of this motion.

Councillor Harvey stated that as a Councillor who had been on the Council throughout these issues, she stated that it had been frustrating that comments on social media had been very difficult to counter whilst maintaining confidentiality with discussions that needed to be had. She expressed concerns over her requests for protective measures being put in place not being dealt with, for whatever reason, which may have been considered valid reasons at that time. However, the consequence of that was that there was no evidence that we had taken actions to support our Clerk, which is concerning not only for the message to the Clerk but also the message this sends to other members of staff.

Councillor Harvey noted her concerns about the Council being members of NALC/HALC and did not feel that the Council was in the best place at this time, but felt that there were some councillors who had good knowledge of employment law and other matters in their own working life, however, she pointed out that the Council cannot rely on the collective knowledge and understanding of Council Members, the Council does need to make use of advice that should be bought into the council and that this should be recognised by the committee structures as to when this advice should be obtained.

Councillor Harvey stated that it is important that any action taken now to recognise failings should not allow perpetuation of how the Council purports itself now and into the future.

Councillor Hughes advised that he did not feel able to support the motion as framed because it did not make sense. He advised that the subject itself has his fulsome support but is something that will be purported in public. He pointed out that the way in which the motion had been phrased indicated that they were talking about the failings of the most senior member of staff, which was not the case.



i.e. *“That this Council provide an apology to its most senior member of staff for **“their”** failings in carrying out their duty of care to them over the past 3½ years.”*

It was pointed out that the use of the word *“their”* was incorrect and the appropriate wording would have been *“its”*.

Councillor Morris said he did not feel that over the years the Clerk was being supported by the line manager, that the Clerk was working too many hours, which is a failing on the part of the Council in not instigating some adjustment to the working hours, he believed that the Clerk should only be working a limited amount of contracted hours and that this is a despicable representation of the Council, adding that it is up to the Mayors, who are the Clerk’s line managers, to manager her timekeeping.

The Mayor proposed to change the wording of the motion from ‘their’ to ‘its’.

Councillor McAll spoke about the need for a more specific apology.

Councillor Morris asked if an apology is voted for, is it sufficient to remedy all the damage that has been done to the Clerk over the past four years? The Mayor agreed that it is not sufficient, but it is a start, and that as the Clerk’s present line manager, she is trying to remedy this.

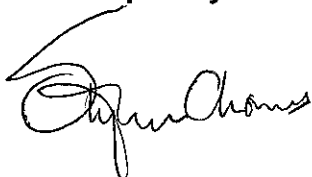
Councillor Harvey stated that she understands the sentiment behind the proposal of this Notice of Motion, however, given the comments made during debate and the fact that there is a Resources Committee scheduled to meet shortly, and given that the Mayor is the person who conducts face-to-face meetings with the Clerk, and as it is the collective responsibility of the Resources Committee which is the Line Manager of the Clerk, she proposed that the motion be referred to the Resources Committee for discussion in the context of its responsibilities and duty of care towards the Clerk now, and request that it considers whether this responsibility has been adequately discharged in recent years and what may be necessary to remedy the situation, if it is considered that the Council have fallen short of how they should have behaved.

The Mayor advised that as the current line manager, she was aware of a number of issues that prevent the Clerk from undertaking her daily tasks.

The Mayor advised that she would withdraw her Notice of Motion, and Councillor McAll, as the seconder, agreed to withdraw his second of the proposal.

RESOLVED:

That the Notice of Motion be referred to the Resources Committee for discussion in the context of its responsibilities and duty of care towards the Clerk and request that it considers whether this responsibility has been adequately discharged in recent years and what may be necessary



to remedy the situation if it is considered that the Council have fallen short of how they should have behaved.

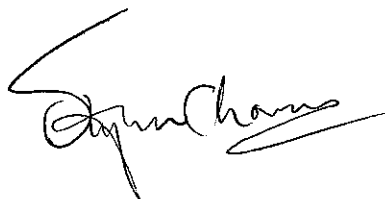
C216. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE RESOURCES COMMITTEE HELD ON 1 FEBRUARY 2024 AND AN EXTRAORDINARY MEETING HELD ON 13 MARCH 2024 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

Councillor Harvey spoke at length about the staffing structure at Ledbury Town Council and asked whether there was a suggestion to undertake a further staffing review or was it that current staff had had a number of additions to their current job descriptions, which were potentially covered but the inclusion of "any other tasks that may be commensurate with their role" in their job descriptions.

She advised that job descriptions are part of the operational line management of staff and therefore it was not necessary to be presented to a committee as the Clerk has authority and responsibility in respect of this. The Clerk advised that is what she was currently working on; however, this was being presented as a recommendation from the Resources Committee.

RESOLVED:

1. That Ledbury Town Council do not seek quotations for HR Services going forward, noting that NALC/HALC provide this service via Worknest to all member councils.
2. That the recommendation that on completion of the Committee Structure review process, a review of all staffing be undertaken to ensure that all employees have a clear understanding of their roles within the Council and that tasks that have crept into their roles via mission creep are either allocated to the appropriate staff members or consideration is given to recruitment in respect of these tasks and projects was not seconded and therefore, the proposal fell.
3. It was noted that the report in respect of the recommendation at minute no. R47(6) that "consideration be given to the hours that are being lost due to two members of staff reducing their working hours being used to create a part time role, and that the Clerk" was not available at this meeting, but that a report will be provided to the next meeting of the Resources Committee. Therefore, the outcome of this vote was that the proposal was LOST.
4. That this Council approve the drafting of a Distancing Policy where an individual councillor is acting in a vexatious and/or aggressive manner towards a member of staff who has reported to the Mayor that it be recommended to Council that they apply the distancing policy where that person is requested to only make contact with a named councillor.



5. **That the minutes of a meeting of the Resources Meeting held on 1 February 2024 and an extraordinary meeting held on 13 March 2024 be received and noted.**

C217. TO RECEIVE AND NOTE THE MINUTES OF MEETINGS OF THE PLANNING, ECONOMY & TOURISM COMMITTEE HELD ON 8 FEBRUARY AND 14 MARCH 2024 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

Councillor Howells advised of some inaccuracies in minute no. P197 in relation to the Traffic Regulation order scheme on various roads in Ledbury, which the Clerk confirmed would be amended ahead of the April Planning Meeting.

He also noted that it had been agreed that Councillors would meet with Ian Connelly to look at Orchard Lane. He advised that a meeting had taken place previously with Mr Connelly and the Locality Steward and it had been stated at that meeting that the yellow lines in Orchard Lane could not be done. Therefore, he did not believe there would be any benefit from a further meeting, that a different approach would need to be considered.

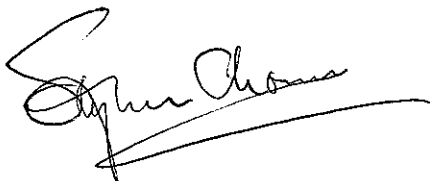
Councillor Harvey spoke at length about the traffic calming measures near Orchard Lane. She advised that the chicane of yellow lines in this area is a result of Highways Engineers saying that it actually helps to slow the flow of traffic in this area.

Councillor Hughes disagreed as he felt this action appeared to go against the Highway Code. He added that the location of the chicane was dangerous and that he did not feel it should be dismissed and that as this had been raised with Councillors by members of the Cycle Forum it should be questioned.

Councillor Harvey advised that if the Town Council receive comments from groups such as the Cycle Forum these should be forwarded to the relevant Councillors and Ward Councillors for the appropriately qualified officers to deal with, rather than the Parish Council second guessing responsibilities that do not belong to them.

RESOLVED:

1. **That Councillor Howells be nominated to represent Ledbury Town Council at the upcoming appeal hearing in respect of the McCarthy Stone planning application.**
2. **That the minutes of the Planning Meetings held on 8 February and 14 March 2024 be received and noted.**



C218. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE ENVIRONMENT & LEISURE COMMITTEE HELD ON 7 MARCH 2024 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

Minute No. E102 – Partnership with Ledbury Food Group

Councillor Harvey asked whether there were sufficient resources within the staff base to undertake this activity or is this going to be prioritised over other work.

The Community Development Officer advised that the main element that the group wanted help with was the market she advised that it could potentially make more work however the Council would in return be able to tap into the market traders for its own market in the future.

Councillor Harvey suggested it would be beneficial to have a scope of the work expected from Ledbury Town Council and that there was clarity on whether there was other work that would not happen in order to prioritise this work.

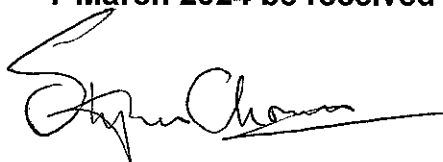
Minute No. E110 – provision of generic risk assessment

Councillor Harvey noted that the Council had previously agreed to have a third party to sign off on works completed by the Council, and that this may be a good opportunity to revisit that resolution, as this may be fettering the Council's ability to secure contractors for works.

The Clerk advised that the resolution referred to by Councillor Harvey related to works which exceeded the threshold of £5,000. She pointed out that this recommendation related to smaller contracts, advising that companies being asked to quote for smaller contracts were often put off because they were being asked to provide risk assessments and method statements.

RESOLVED:

1. That Ledbury Town Council form a partnership with Ledbury Food Group and the Poetry Festival in respect of the annual event "Ledbury Celebration."
2. That Ledbury Town Council take an active role in the organisation of Ledbury Celebration as detailed in the report submitted to the Environment & Leisure Committee.
3. That Ledbury Celebration be added to the Council's PPL/PRS licence at an estimated cost of £166.71.
4. That the Council prepares a generic Risk Assessment which would form part of the quotation process for builders etc being asked to undertake work on Council properties.
5. That the minutes of the Environment & Leisure Committee held on 7 March 2024 be received and noted.



C219. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 21 FEBRUARY 2024 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

1. That the minutes of the meeting of the Finance, Policy & General Purposes Committee be received and noted, noting an amendment at minute no. F140(2), which should read "... in the total sum of £37,841.10".
2. That the following grants be awarded accordingly:
 - i. Ledbury Community Day be awarded £300 under the Local Government Act S1374 financial assistance.
 - ii. Ledbury Fringe be awarded £500 under the Local Government Act s145(1)(a) Provision of Entertainments.

C220. SUSPENSION OF STANDING ORDER 3(X)

RESOLVED:

That Standing Order 3(X) be suspended for 30 minutes.

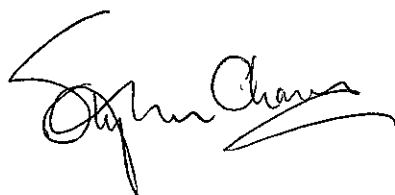
C221. TO APPROVE THE MINUTES OF A PARISH MEETING HELD ON 15 FEBRUARY 2024 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

The Clerk advised this item is to be received and noted, and not approved as stated on the agenda.

The Mayor read out the three questions that had been raised at the Parish Meeting, noting that a named vote had been requested by a member of the public.

Councillor Howells asked for clarification on the previous decision taken in respect of not progressing with land for future burials. The Clerk advised that a resolution had not been made in respect of this, she explained that it was a recommendation from the Environment & Leisure Committee to Full Council, however because a Parish meeting had been scheduled the recommendation had not been voted on.

Councillor Hughes asked for clarification in respect of the three points from the Parish meeting. The Clerk explained that Members were being asked to vote on the three points voted on by members at the public at the meeting held on 15 February 2024.



The Clerk advised that the three questions to be considered were as follows:

1. That Ledbury Town Council explore options to extend further the active use of the existing cemetery?
2. That Ledbury Town Council invest time and money to explore the options to extend the current cemetery grounds?
3. That Ledbury Town Council invest time and money to explore the options to provide new cemetery facilities. If so, it is important that new provision is located within the Parish boundary of Ledbury.

Councillor Harvey suggested that this matter be referred back to the Environment & Leisure Committee, and possibly a Task and Finish Group of that committee, for them to consider the information previously provided by the Clerk to consider what an appropriate progression would look like and to understand the resourcing and cost implication in the context of a starting point, and the consequences of undertaking such a project before agreeing to proceed.

RESOLVED:

That the discussion on the future of provision of burial space be referred back to the Environment & Leisure Committee or Working Group of that committee to consider the Clerks reports previously provided to Members.

C222. MINUTES OF A MEETING OF THE WORKING PARTY TO DISCUSS THE WORKING PRACTICES OF LEDBURY TOWN COUNCIL HELD ON 6 MARCH 2024

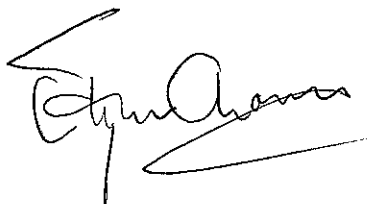
RESOLVED:

1. **That a caveat be placed on reports being provided for agendas etc. as follows:**

'This document has not been approved by Ledbury Town Council, it is for the purpose of discussion and does not constitute a final decision of this council'.

3. **That recommendations 2 and 3 be taken together, and noting that points 4 and 5 will be incorporated in those actions:**

"That a 'stage gating' process be used to identify the progress of reports and projects going forward and that Councillor McAll prepares a draft process to identify the progress of reports and projects going forward."



**C223. NOTES OF A MEETING BETWEEN COUNCILLORS AND HELEN BEALE
(ESTATES OFFICER, HEREFORDSHIRE COUNCIL)**

Members were requested to consider the following options in relation to St Katherine's Square, Ledbury:

That Ledbury Town Council enter into a Licence with Herefordshire Council, in the first instance. Following a set period of time, this be reviewed with a view to potentially taking on a Lease. These two options are outlined below for information.

1. Licence – this would mean that Ledbury Town Council would be able to manage the area. It gives the council the right to occupy the land, however it doesn't give exclusive possession but will enable the council to manage bookings on the square. The licence can be specific to this Council's particular conditions and requirements i.e. a list could be included in the licence documents to state that certain events will take place throughout the year.
2. Lease – the lease can be entered into for however long is required, this allows the tenant to manage the area and it will give you control over what takes place on the square.

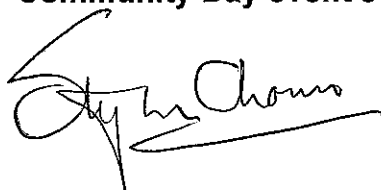
Councillor Harvey stated that she thought it had been a useful meeting but did not feel the recommendation gave a sense of what had been discussed. The recommendation was that Ledbury Town Council explore further the options for undertaking a licence.

Councillor Morris stated that he was frustrated by the slow progress, and he would like to know the options available which should include details of what a licence is, what it would cost, what it would entail or a lease, and taking into consideration the finished plan of where the electrics are and yet nothing has happened.

We need to investigate the difference between a licence and a lease and understand the difference in context.

RESOLVED:

1. **Ledbury Town Council explore further the option of a licence and that a timeline be established for this.**
2. **That the Clerk be instructed to complete the 'Expression of Interest' form to avoid delay.**
3. **That the Clerk be instructed to have discussions with Herefordshire Council to draft some tentative Licence options for consideration.**
4. **That a TEN (Temporary Events Notice) be applied for the Community Day event scheduled for 8 June 2024.**



Councillor Harvey suggested that due to the time, Members consider any essential business remaining on the agenda and that all other items be considered at a reconvened meeting of Council.

C224. JOHN MASEFIELD MEMORIAL WORKING PARTY

Councillor Morris advised that the brief has been sent to six organisations and responses are due back on Friday, 5 April.

RESOLVED:

That £3,000 be drawn down from the General Reserve from the remaining funds in respect of the John Masefield Memorial Working Party to cover the cost of the visual identity of the project.

C225. OUTSIDE BODIES

RESOLVED:

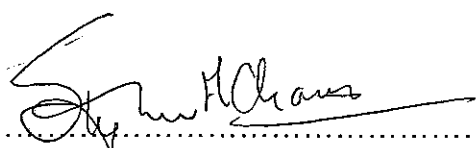
That Councillor Morris be elected as Community Governor at Ledbury Primary School.

C226. DATE OF NEXT MEETING

RESOLVED:

To note that the remainder of the business will be considered at a meeting on 10 April 2024 at 7.00 pm in the Council Offices.

The meeting ended at 21:30

Signed  Dated 9/5/2024
(Town Mayor)

