LEDBURY TOWN COUNCIL

MINUTES OF A MEETING OF FULL COUNCIL
HELD ON 23 NOVEMBER 2023

PRESENT: Councillors Chowns, Furlonger, Harvey, Howells, I'Anson (Town Mayor), McAll, Newsham, Morris and Sinclair

ALSO PRESENT: Angela Price -Town Clerk
Charlotte Barltrop – Minute Taker
Julia Lawrence – Deputy Town Clerk
2 Members of the public

C138. APOLOGIES FOR ABSENCE

Apologies for were received from Councillors Bradford, Eakin and Hughes.

C139. DECLARATIONS OF INTERESTS

Councillors Harvey and Morris declared a pecuniary interest in Item 24, Bye Street Toilets.

C140. NOLAN PRINCIPLES

The Mayor read out the Nolan Principles.

RESOLVED:

That the Nolan Principles be received and noted.

C141. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF FULL COUNCIL HELD ON 28 SEPTEMBER AND THE RECONVENED MEETING HELD ON 11 OCTOBER 2023

The Clerk provided updates in respect of the following minute numbers:

C101. Landscaping by the Masters House

a. That the inclusion of the railings is for Health & Safety purposes due to the future use of the space as an event space and therefore persons unfamiliar with the ledge and drop. The planning has taken several years to develop and pass.

b. The installation of electricity was hoped to be part of the Phase 1 installation; however, there was a shortfall in funding which meant that the ducting and pits could be installed with the hope for the supply to be fitted in Phase 2 should funding be available to complete.

C104. Road Signage Review – That Herefordshire Council officers had advised that this has been agreed and will be funded from S106 monies.

RESOLVED:

That the minutes of the meeting of Full Council held on 28 September 2023 and the reconvened meeting held on 11 October 2023 be approved and signed as a correct record.

C142. HEREFORDSHIRE COUNCILLORS' REPORTS

To receive reports from Ledbury Ward Members:

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

Councillor Harvey spoke to remind members that the Herefordshire Council Budget Consultation Roadshow will be present at the Ledbury Market House on Saturday 25 November between 9am and 2pm. She requested that this be advertised by LTC via Social Media channels.

RESOLVED:

That the Ward Reports be received and noted.

C143. MAYORS COMMUNICATIONS

The Mayor made the following statement:

"It was great to see so many people attend my Civic Service. From our invited guest list of 54 there were 43 acceptances including a Deputy Lord Lieutenant, the High Sherriff, 6 Mayors and Deputy Mayors, the Chairman and Leader of Herefordshire Council and the Commander of HMS Ledbury. However, 4 Ledbury Town Councillors did not respond to the invitation and 4 others declined. Thanks to the presence of mind of the Deputy Mayor, who suggested that the congregation remain standing for the declaration etc. any embarrassment over there being so few Councillors in attendance was averted and I would point out that in the last meeting I had expressed my disappointment at the lack of Councillor support at public events.

My consort and I attended the Lord Lieutenants curry lunch at the Shiva Barracks in Hereford with the Hereford and Worcester ACK, and it was lovely to come across Liam, John Masefield's head boy, who read out the Nolan Principles at my Civic Service as one of the cadets "on parade". Once we had discovered who he was under the camouflage paint!

At the last meeting I mentioned our hedgehog House competition and the winning houses have now been installed in a corner of the cemetery and we look forward to spotting activity on the web cam (Autumn Watch).

The Commander and crew of HMS Ledbury joined us for a very successful litter pick around the town.

We attended the High Sherriff's Celebration Service in the Cathedral. I opened the Mop Fair, which was great fun except for the dodginess of my ride on the dodgems!

Our Remembrance Services, alongside our fully restored War Memorial were well attended but sadly 4 Ledbury Councillors again did not support/respond to the invitation.

Last night was the Food Bank AGM, a few statistics:

Ledbury Food Bank is supporting 150 different households every month, more than 110 households seeking support already this year and 300 households have been supported this year. In 2001 £21,000 was spent on food, for year ending 31 October 2023 more than £74,000 has been spent. However, the food bank has maintained its' financial position.

I am looking forward to switching on the Christmas lights, many thanks to the Council Staff for organising and also to my Christmas Coffee morning, which is to take place on Friday, 1 December."

The Mayor also raised that Colwall Parish Council had contacted Ledbury Town Council to ask for a representative to attend a meeting with Sir Bill Wiggin, MP, regarding GWR to discuss the issues with their service. Councillor Sinclair stated that he would be happy to volunteer to attend this meeting which would take place in the New Year.

RESOLVED:

1. **That the Mayor's Communication be received and noted.**

2. **That Councillor Sinclair represent Ledbury Town Council at a meeting with Colwall Parish Council, GWR and Sir Bill Wiggin, MP.**

C144. TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) AND 3(F)

No questions were asked.

C145. TO RECEIVE MOTIONS PRESENTED BY COUNCILLORS IN ACCORDANCE WITH STANDING ORDER 9

No motions were received.

C146. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE RESOURCES COMMITTEE HELD ON 5 OCTOBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

Councillor Sinclair stated that he had a big problem with the minutes and what is written under staff protection matters because I have been named and it states that there is a need for .....to be in place and it was agreed that Councillor Hughes would be the point of contact for me until such time that the ongoing issues have been resolved. He asked how many emails had been exchanged, when these emails had been sent and when the last email had been sent. He went on to say that he had been named a number of times in the paperwork and that it looked like an attempt to discredit him by those who may have something to hide. He said that he realised that there is no paper but that he would urge those present to think very carefully before voting. He asked "are you really in receipt of the facts or have you simply been told that I am the bad guy who needs to be stopped? Because I assure you that there are people in this room tonight that have something to hide and it's not me."

The Clerk stated that on the minutes of Resources the Full Council Committee could choose refer that minute back to the Resources Committee for further consideration and review or they can consider if they would like to do something here and now.

Councillor Harvey questioned as to whether the Committee was dealing with the accuracy of the minutes or the content of the minutes.

The Clerk stated that as the item is within the minutes Councillor Sinclair was within his rights to question the item.

Councillor Howells asked whether the minutes were factually accurate as to what was said.

The Clerk affirmed that they were.

Councillor Howells stated that the minutes should be accepted as an accurate record.

The Clerk raised that there was advice later in the agenda which the Members may need to consider in respect of the minute in question and that the minute could be changed subject to new information being provided.

Councillor Harvey stated that there are two separate points which are being raised. First, are the minutes an accurate record of what happened in the meeting and secondly, are there matters pursuant to the decisions made there which need to be given further consideration, which is a separate matter. She asked if the accuracy of the minutes could be dealt with and then, at the right point in the agenda deal with the second matter.

Councillor Morris proposed that the minutes are an accurate record of the meeting. Councillor Chowns seconded the motion.

Councillor Sinclair stated that he had been accused on public record of doing something and I am being sanctioned for this. Where is the evidence? Was evidence presented to this Committee for them to make that decision or was it just hearsay?

Councillor Chowns stated that there was no physical evidence.

Councillor Sinclair stated that he had been found guilty with no evidence. He went on to state that this was unacceptable.

The Chair stated that there is nothing in the minutes which states that in any way and asked Councillor Sinclair where he was reading the information which he was speaking to.

Councillor Sinclair read an extract from the Resources minutes which stated: "Staff Protection Measures Members were requested to give consideration to possible staff protection measures being put in place to protect staff from unwelcome, persistent communications from both Councillors and members of the public. It was noted that there was a need for something to be in place currently and it was agreed that Councillor Hughes would be the point of contact for [Councillor Sinclair] until such time ongoing issues could be resolved." He asked Members to clarify what he was being sanctioned for in this section of the minutes.

Councillor Chowns stated that he had understood that the persistent and regular contact with the Clerk and other members of staff were causing distress.

Councillor Sinclair asked for evidence of this and stated that he had been found guilty on hearsay.

The Clerk disagreed with Councillor Chowns understanding of the reasoning as the report had come through other meetings whereby some members had requested that Resources give consideration to whether there was a need for this, it was purely about whether there was an overall need for this. There were no direct accusations made in the report which was presented.

Councillor Sinclair requested to know why he was named as someone who had to go through Councillor Hughes.

Councillor McAll stated that this is simply a case of the Council moving to look after a member of staff and that there are no sanctions in the minutes as this was not discussed.

The Chair stated that this is also a separate paragraph stating that Councillors, plural, and members of the public and that does not refer to [Councillor Sinclair].

Councillor Howells made a short statement about the actions of Councillor Sinclair and how they have reflected upon Ledbury Town Council in the past. He proposed that the minutes were accepted as a true record of the meeting

which had taken place and that the other matter be referred back to Resources to consider.

Councillor Harvey requested that the discussion be held over until the item which is pertinent later on in the minutes before making the decision to refer the minute back to the Resources Committee. (Item 17)

RESOLVED:

That the minutes of a meeting of the Resources Committee held on 5 October 2023 be received and noted.

C147. TO RECEIVE AND NOTE THE MINUTES OF MEETINGS OF THE PLANNING, ECONOMY & TOURISM COMMITTEE HELD ON 12 OCTOBER AND 9 NOVEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

That the minutes of the meetings of the Planning, Economy and Tourism Committee held on 12 October and 9 November 2023 be received and noted.

C148. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE ENVIRONMENT & LEISURE COMMITTEE HELD ON 2 NOVEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

That the minutes of the meeting of the Environment and Leisure Committee held on 2 November 2023 be received and noted.

C149. TO RECEIVE AND NOTE THE MINUTES OF A MEETING OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE HELD ON 16 NOVEMBER 2023 AND TO GIVE CONSIDERATION TO ANY RECOMMENDATIONS THEREIN

RESOLVED:

1. **That the minutes of the meeting of the Finance, Policy and General Purposes Committee held on 16 November 2023 be received and noted.**

2. **That it be noted that an extraordinary meeting of the Finance, Policy & General Purposes Committee to consider business not completed at the meeting on 16 November had been scheduled for Wednesday, 6 December and that a Budget Monitoring/Grants meeting will be held on Monday, 4 December.**

C150. TO RECEIVE INVOICES FOR PAYMENT NOVEMBER 2023 (FINAL)

RESOLVED:

That the invoices for Payment for November be approved for payment in the sum of £6,038.40 plus VAT.

C151. NOTIFICATION OF 2022/23 LOCAL GOVERNMENT SERVICES PAY AGREEMENT 2023

RESOLVED:

That the notification of the 2022/23 Local Government Services pay agreement 2023 be received and noted.

C152. COUNCIL INSURANCE

a. RENEWAL QUOTES

The Clerk advised Members that she was still waiting on one more quote in respect of the buildings and contents insurance. Members agreed that this item should be deferred to an extraordinary meeting of Full Council scheduled for 7 December 2023 when it is hoped the remaining quote will be received.

b. CYBER SECURITY INSURANCE

Members discussed whether the inclusion of Cyber Security Insurance and Terrorism Insurance was prudent in the current digital age. It was suggested that as well as the Cyber Security Insurance, the Clerk investigate as to whether third party companies which the Council works with hold the relevant Insurances to cover should a breach occur.

RESOLVED:

1. **That that the Clerk pursue Cyber Security Insurance quotes.**

2. **That the Clerk pursue Terrorism Insurance quotes.**

3. **That the Insurance quotes, including Terrorism and Cyber quotes be deferred to an extraordinary meeting of Full Council, scheduled for Thursday, 7 December 2023.**

C153. CEMETERY CCTV QUOTES

Members were requested to approve a contractor in respect of the supply and installation of a new CCTV system at Ledbury Cemetery.

RESOLVED:

1. **That company 1 be engaged to undertake the installation of a new CCTV system at the Cemetery.**

2. **That the £2,000 of the cost of the new CCTV system at the cemetery be funded from the Earmarked Reserves, with the remaining £550 being taken from the general reserve.**

3. **That the remaining £8,000 in the CCTV earmarked reserve be made available as match funding for the new CCTV at the Recreation Ground.**

4. **That Officers be instructed to appoint the successful company to proceed with the works to supply and install a new CCTV system at Ledbury Cemetery.**

C154. INTERNAL AUDIT INTERIM REPORT

Members were requested to give consideration to the Internal Auditors interim report, following his recent visit to the council offices, noting the observations provided and the suggested responses and actions provided by the Clerk, where appropriate, and to make resolutions on those observations where required.

Councillor Harvey noted that a number of the observations within the report related to processes not being done in the office in accordance with Finance Regulations, reminding Members that previously it had been agreed that staff would read the relevant policies and procedures and sign them annually to confirm that they had refreshed their reading of these documents. She noted the comments provided by the Clerk and asked why this had not been happening?

Item B1 – The Clerk advised that whilst these two invoices had been presented to Council for approval, there had been an oversight in respect of signing of by officers. She advised that all staff are aware that all invoices received either in the mail or via email, must be given to the Clerk in the first instance, to ensure that these are checked and approved as correct and the goods or services having been received.

Item B2 - The Clerk stated that arrangements had been made for the repayment of this amount.

Item B3 - The process will be reviewed to ensure that the powers under which grants are awarded is formally recorded in the minutes. It was also noted that the budget line "unspecified grants" should be amended to read "Section 137 grants", due to the Council not having General Power of Competence as a result of less than two thirds of the council being "elected".

Item B4- This item relates to B1 above.

Item C1 - Councillor Harvey suggested that this item be referred back to the Resources Committee, but that advice needs to be sought regarding the Council's obligations as an employer in terms of protecting its staff.

Councillor Harvey noted that she had previously had distancing conditions applied to her whilst there was a dispute outstanding as to whether she had breached the Code of Conduct and that was argued as being necessary for the protection of staff as an employer. She noted that she had been able to operate as a member of Council with those measures in place and that they fell away once the issues had been resolved. She suggested that advice was requested from the HR providers regarding this issue.

Councillor I'Anson stated that the advice which had been received from the Council's HR advisors has not been sufficient as the company has no experience of working with local government organisations. She stated that the Council is suffering without the support of a NALC membership and advised that Ledbury Town Council join.

Members requested information as to whom had advised to join NALC, it was suggested that NALC advice in the past had not been sufficient. The Clerk informed Members that both the Internal Auditor and the Monitoring Officer had advised the joining of NALC to assist with advice and support.

Members agreed that the Clerk should contact HALC, the Herefordshire branch of NALC, and Hoople to present their businesses to Ledbury Town Council in order that Councillors may be able to understand what they can offer Ledbury Town Council.

Councillor Sinclair asked what other body the council could go to if they were not a member of NALC. The Clerk advised that for councils this is the only body available. The Clerk advised that HALC have access to legal experts in respect of local government matters.

Councillor Sinclair suggested that consideration should be given to rejoining NALC but that due to issues experienced in the past, conditions be implemented to ensure that guarantees are given by them when providing advice, and that everything is done in writing. Councillor Howells seconded this as a proposal with the addition of NALC being invited to meet with Councillors to discuss what they can offer the Council should they decide to rejoin the association.

Councillor Harvey asked if Hoople could be explored in respect of providing HR Services to Ledbury Town Council. The Clerk reminded Members that they are currently in a 7-year contract with their current provider and that there are still 2-years remaining on the contract.

Item D2 - That this item be dealt with via an Extraordinary meeting of the Finance, Policy and General Purposes Committee to be held at 7.00pm on Wednesday 6 December.

Item I1. That the process has been amended to avoid further issues.

Item M1. Councillor Harvey enquired as to what determines the dates. The Clerk informed her that the law determines the dates. It was then discussed that, should the report not be available in time to be published, a statement be made to that effect and be posted with an expected date, thus ensuring that this is not included in the report.

RESOLVED:

1. **That Members noted the observations within the report and provided responses as detailed above.**

2. **That the Clerk arrange for HALC and Hoople to present to Ledbury Town Council and advise on what they can offer Ledbury Town Council in respect of HR and governance advice.**

3. **That the Clerk review the current HR provider contract to identify any "get out clause".**

4. **That the advice received from Citation be provided to the Resources Committee.**

5. **That the Clerk revisit the relevant processes in order to avoid the issues detailed within the report.**

6. **That an Extraordinary meeting of the Finance, Policy and General Purposes Committee will be held on 6 December at 7.00pm and that item D2 will be included on the agenda.**

C155. DISQUALIFICATION OF COUNCILLOR DUE TO NON-ATTENDANCE

RESOLVED:

1. **That the Clerk write to Councillor Briggs to advise him that due to his non-attendance he is therefore disqualified as a Councillor of Ledbury Town Council and that all information relating to Councillor Briggs be removed from the Council's website and his Council email be closed.**

2. **That the Clerk notify Herefordshire Council of the vacancy due to Councillor Briggs being disqualified.**

C156. CO-OPTION

RESOLVED:

That a further round of co-option take place in early 2024 and that the Clerk advise Herefordshire Council of the intent to undertake the process and obtain the relevant forms.

C157. INTERIM REVIEW OF PORTFOLIO'S

RESOLVED:

That Members agreed that the current portfolios held by Councillors should remain in place.

C158. LEDBURY WAR MEMORIAL UPDATE ON COMPLETION OF WORKS

Members were advised that the final cost of the works to the War Memorial was considerably less than the original quote from Ian Bishop.

Concerns were raised that the vases situated on the War Memorial are being used as litter bins as they are being left empty for long periods. It was suggested that the Clerk approach the RBL to discuss, whether tasteful fake flowers or fresh flowers could be placed in the vases at the relevant points in the year to reflect the various pertinent dates.

RESOLVED:

1. **That the information provided by O'Brien Price and Caroe and Partners in respect of the end of the War Memorial project be received and noted.**

2. **That the progress payment to Ian Bishop in the sum of £12,435.24 plus VAT, be approved, noting that this is the final payment.**

3. **That the re-filling of any voided joints in the paving in the spring and before Remembrance Day 2024, at a cost of £500 on each occasion, totalling £1,000, to be included in the 2024/25 budget be approved.**

4. **That the practical completion certificate be received and noted.**

5. **That the be instructed Clerk to send a message of thanks to both Ian Bishop and Caroe and Partners for their work on the War Memorial.**

6. **That the Clerk discuss the usage of the flowerpots on the War Memorial with Ledbury RBL to ensure that they do not remain empty for long periods of time.**

C159. OUTSIDE BODIES

No reports were received.

C160. OFFICER REPORTS

i. Town Clerk
ii. Deputy Clerk
iii. Community Development Officer

RESOLVED:

That the Officer reports were received and noted and that officers be thanked for the information provided within.

C161. SUSPENSION OF STANDING ORDER 3(x)

RESOLVED:

To suspend Standing Order 3(x) for a period of fifteen minutes to enable the remaining business of the agenda to be completed.

C162. BYE STREET TOILETS

Councillors Morris and Harvey left the room whilst this item was discussed.

Councillor Sinclair raised concerns that the suggested projected spend within the report may be too low and that the figure may be closer to £30,000 p/a.

After further discussion Members agreed that Option 4, the Hybrid option, would be the best way forward but that this should be reviewed after a period of 6 months, with a "get out clause" added to any agreement in case the costs spiral beyond those projected.

RESOLVED:

1. **That Option 4, a hybrid model, be agreed, with a "get out clause" at six months being added to any agreement.**

2. **That the Clerk investigate possible sponsorship for the toilets.**

Councillor Sinclair left the meeting at 9.05pm.

C163. REQUEST FOR VIEWS FROM STAKEHOLDERS AND COMMUNITIES IN RESPECT OF TALK COMMUNITIES

Members discussed whether it would be a good idea to organise a meeting to include the other Market Towns and discuss the feeling with regard to Talk Community.

RESOLVED:

1. **That Members provide feedback regarding Talk Communities to the Clerk via email.**

2. **That other Herefordshire Market Towns be asked to provide their comments in respect of their experiences of Talk Communities.**

C164. SMART WATER

RESOLVED:

That this item be deferred to the Extraordinary meeting of Full Council scheduled for 7 December at 7.30pm.

C165. REQUEST TO SUPPORT "ZERO HOUR"

RESOLVED:

1. **That Members agreed to move a motion to support the Climate and Ecology Bill.**

2. **That the Clerk be instructed to prepare a press release informing that the Council support the Climate and Ecology Bill and writes to Sir Bill Wiggin MP requesting that he publicly support the Climate and Ecology Bill.**

C166. DATE OF NEXT MEETING

RESOLVED:

That the next meeting will be an Extraordinary meeting of Full Council scheduled for 7 December 2023.

C167. FUTURE PROVISION OF BURIAL GROUNDS

RESOLVED:

That this item be deferred to the Extraordinary meeting of full Council which is to be held on 7 December at 7.30pm.

The meeting was adjourned at 9.17pm.

Signed ..... Dated 06/12/23
(Town Mayor)