

LEDBURY TOWN COUNCIL

Minutes of an Extraordinary Meeting of Ledbury Town Council called by Cllr N Shields and Cllr N Morris held on Monday 4th December 2017 at 7.30 pm in the Town Council Offices

Present

Councillors: E Fieldhouse (Chairman), D Baker, R Barnes, A Bradford, A Crowe, M Eager, K Francis, A Harrison, E Harvey, J Hopkins, A Manns, N Morris, J Roberts, N Shields, J Simpson, A Warmington, H Wilce.

In attendance: Mrs L Wilcox (HALC) ... Acting Clerk. Eight members of the public.

C.154 -12.17 Apologies ... There were none.
Cllr M Eakin was not present.

C.155 -12.17 Interests
Cllr. Harvey declared a pecuniary interest in agenda items 6 and 7 (C.159 -12.17 and C.160 -12.17 refer).

C.156 -12.17 Public Participation

- 1.1 In response to a query from a local resident, the Chairman explained why items 5-7 were required to be held in closed session but confirmed that detailed information from the council's solicitors would be available to the public later in the week.
- 1.2 In response to a query on the cost of the judicial review process, it was confirmed that the sum of £15,516.48 had been paid to the council's solicitors. The Chairman commented that financial matters were dealt with in public session at Finance Committee meetings.

C.157 -12.17 Minutes

The Chairman explained that the following two sets of minutes were not yet available and would therefore be confirmed at the next scheduled meeting of Full Council on Thursday 7th December.

- 1.3 Minutes of Full Council meeting held on 2nd November 2017.
- 1.4 Minutes of the Extraordinary Full Council meeting held on 15th November 2017.

Public Bodies (Admission to Meetings) Act 1960

A named vote was taken on the proposal to exclude members of the public from the remaining three agenda items (5-7).

For the motion:

Cllrs R Barnes, A Bradford, A Crowe, M Eager, E Fieldhouse, K Francis, A Manns, J Roberts, J Simpson.

Against the motion:

Cllrs A Harrison, E Harvey, J Hopkins, N Morris, N Shields, A Warmington, H Wilce.

Abstention: Cllr Baker.

The motion was therefore carried 9 votes to 7 with one abstention.

Members of the public left the meeting together with Cllr Harvey.

The Chairman read a statement reminding members that recording or filming of items 5-7 was not permitted.

C.158 -12.17 Notice of Motion

THAT: The council rescinds its decision C.114-08 of 29th August, which delegated some responsibilities to Standing Committee, and to revert to full council all decision-making and all financial authority for the Judicial Review.

Proposed by Cllr Warmington. Seconded by Cllr Harrison. Supported by Cllrs: Wilce, Hopkins, Morris & Shields.

Following detailed discussion, a named vote was taken:

For the motion: Cllrs A Harrison, N Morris, J Hopkins, N Shields, A Warmington, H Wilce.

Against the motion: Cllrs R Barnes, A Bradford, A Crowe, M Eager, E Fieldhouse, K Francis, A Manns, J Roberts, J Simpson.

Abstention: D Baker.

The motion was therefore defeated 9 votes to 6 with one abstention.

C.159 -12.17 Report from Standing Committee on Judicial Review

A comprehensive written report to be provided by the Chairman of the Standing Committee. This document to record the actions of members of the Standing Committee, taken alone or collectively, in relation to the Judicial Review, since 28th July 2017. To include, but not to be limited to all:

- i. Instructions given to the solicitors on behalf of the council with dates.
- ii. Advice received from solicitors and from HALC/NALC with dates.
- iii. Decisions made, and approvals given on correspondence, and by whom, with dates.
- iv. Finances committed, approved and forecast through to the possible end of the legal action in court, with dates; and confirmation of the current sum allocated to the revenue budget.
- v. Offers given by the council during negotiations, with dates.

- vi. Offers received by the council during negotiations, with dates.
- vii. Recommendations from Standing Committee meeting of 22nd November 2017 relating to the Judicial Review.

Following detailed discussion and in the light of the named vote on agenda item 5, it was **RESOLVED to put the ‘Detailed Grounds of Resistance’ compiled by Queen’s Counsel on behalf of Ledbury Town and circulated at the meeting, in the public domain at the end of the working week. One factual amendment on page 3 would be corrected.**

C.160 -12.17 Notice of Motion

THAT: The council considers accepting the latest offer received from Cllr Harvey’s solicitors.

Proposed by Cllr Shields. Seconded by Cllr Hopkins.

It was **RESOLVED to follow the advice of Counsel and decline the latest offer from Cllr Harvey’s solicitors.**

It was noted that Cllr Harvey had not accepted Ledbury Town Council’s earlier offer.

There being no further business, the Chairman closed the meeting at 9.00 pm and all councillors handed back the circulated confidential papers.

SIGNED DATE