

**LEDBURY TOWN COUNCIL  
MINUTES OF AN EXTRAORDINARY MEETING OF FULL COUNCIL  
HELD ON 28 FEBRUARY 2024**

---

**PRESENT:** Councillors Chowns, Furlonger, Harvey, Howells (arrived late), Hughes, l'Anson (Chair), McAll,

**ALSO PRESENT:** Angela Price -Town Clerk  
One member of the public

**C220. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Morris, Newsham and Sinclair.

**C221. DECLARATIONS OF INTERESTS**

None received.

**C222. NOLAN PRINCIPLES**

**RESOLVED:**

That the Nolan Principles be received and noted.

**C223. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF A MEETING OF FULL COUNCIL HELD ON 25 JANUARY 2024 AND RECONVENED MEETING OF COUNCIL HELD ON 7 FEBRUARY 2024**

**RESOLVED:**

1. That the minutes of the Full Council meeting held on 25 January 2024 be received and noted.
2. That the minutes of the reconvened meeting of Full Council Meeting held on 7 February be received and noted.

**C224. TO CONSIDER QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF STANDING ORDERS 3(E) and 3(F)**

The member of the public advised that he did not have any questions to raise advising that he was present to listen to the meeting.

**RESOLVED: None received**

*LAO*

**C225. TO GIVE CONSIDERATION TO THE OUTCOME OF THE COMPLAINT AGAINST COUNCILLOR SINCLAIR**

Members were provided with a copy of the Monitoring Officer Decision Notice, in relation to complaint number COC052 against Councillor Sinclair.

The Mayor of Ledbury welcomed Members of Council to make comment on the agenda item, in particular those who had prepared a statement.

It was noted that the Councils Standing or no. 14(d) informs on how the Council should receive and consider a determined code of conduct complaint as follows:

*“Upon notification by District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council’s Code of Conduct, the Council shall consider what, if any, action to take against them.”*

Members agreed that the decision notice of Herefordshire Council’s Monitoring Officer, was a sobering read, finding that Councillor Sinclair had breached the Code of Conduct on seven points, noting that records indicate that this is the widest breach of the code by a Councillor anywhere in Herefordshire, ever.

The decision report, and the information provided in the exempt investigation report, which underpinned the decision of the Monitoring Officer provided clear evidence that the effect of Councillor Sinclair’s actions and behaviour had directly impacted on the decision-making ability of the Council due to the effect of his of behaviour upon the Clerk.

Councillors referred to the Monitoring Officer’s recommendations which are:

- i. Councillor Sinclair should make a private, written apology to the Town Clerk, for his conduct towards her in relation to the renovation of the War Memorial.
- ii. Councillor Sinclair should apologise to Ledbury Town Council for his conduct:
  - a. in particular in not taking steps to ensure members understood the full context of his seeking authority to refer the matter to the Police from March to June 2023.
  - b. and such an apology should be minuted at the next Full Council meeting, drawing a line under the issues for the benefit of residents.
- iii. The Town Council should, following the above actions, if accepted and completed, provide an update confirming the final position in relation to the War Memorial renovations, such that the Town Council can make resolutions to reassure residents that it has dealt with all outstanding issues and can move on, this being in the public interest.

*WAG*

This Council meeting was the first opportunity given to Members of Ledbury Town Council to receive the decision notice and to consider the recommendations of the Monitoring Officer in accordance with Standing Orders. It was now for the Council to decide whether to accept and support the recommendations.

It was recognised that Council does not have the authority to alter, add or amend the recommendations, and the recommendations should only be acted upon if and when Ledbury Town Council resolves to accept them.

It was further recognised that it had been premature and unfortunate that an item had been placed on the Full Council agenda in January, for Councillor Sinclair to make a personal statement, which was not in accordance with Standing Order 14(d), since it now transpires that the statement was made in relation to the determined complaint.

It was concerning that on that occasion Councillors were neither privy to the reasons for the statement, nor permitted to respond, but that this item had been handled on accordance with instructions provide to the Mayor and Town Clerk by Herefordshire Council's Monitoring Officer.

It was accepted that it was for those present at this meeting to decide whether to accept the Monitoring Officer's recommendation that Councillor Sinclair provide the Town Council with an apology, and whether or not to given a further opportunity to do so, noting that any apology given should adequately and clearly address all of the upheld breaches of the Code and should be published in the many places online where Councillor Sinclair has publicised these false allegations.

It was recognised that it is also for this meeting to decide whether to accept the other recommendations, and that it is for the Clerk to decide whether any correspondence she has received from Councillor Sinclair is adequate and sufficient to give her assurance that he recognises and apologises for his poor behaviour towards her, and genuinely undertakes not to repeat it.

Concern was expressed that without such assurances Ledbury Town Council remains, as an employer, open to charge under employment legislation that they are failing to adequately protect members of staff from bullying and harassment.

It was accepted that it is for the Council's Resources Committee to seek feedback from the Clerk as to the adequacy of any correspondence received and to determine what, if any, action should then be taken to protect staff.

It was agreed that the determination of the complaint provides Ledbury Town Council with a good opportunity to set the record straight with regard the sequence of events relating to the renovation of the War Memorial and that a chronology of events should be produce in time for the Annual Town Meeting in April 2024, so that residents can use the opportunity that meeting affords to ask any outstanding questions they may have.

HA 19

Councillor Howells joined the meeting at 7.26 pm.

Dismay was expressed that Councillor Sinclair chose not to be present at this meeting.

It was acknowledged that the reputation of the Town Council needed to improve, and that the public's perception of was that too much council time was still being spent dealing with internal matters, of which this is an example.

It was recognised that whilst everyone on the Council share Councillor Sinclair's concerns at the contractual and procedural failures perpetuated upon and also made by the council during the restoration of the War Memorial, it was the way in which Councillor Sinclair had behaved in pursuing his concerns that had resulted in so many breaches of the Councillor Code of Conduct.

Councillor Harvey commented that she did not recognise the statement given by Councillor Sinclair to be an adequate apology. Councillor Sinclair had given no indication that he was the least bit sorry for his many breaches of the Code of Conduct, he gave no assurance that he has any intention to abide by the Code in the future nor that he would cease his repletion of personal opinions and allegations, which the Monitoring Officer and previously the Police have found to be without any basis in fact.

Councillor McAll felt that the statement made by Councillor Sinclair at the January meeting was a continuation of his unacceptable behaviour, and that this must stop. He agreed that Councillor Sinclair should be given a further opportunity to apologise wholeheartedly and with genuine contrition, and that this is key to drawing a line under the matter.

Councillor Furlonger emphasised the need to receive assurance that the behaviour exhibited by Councillor Sinclair would not recur in the future and that this assurance should be included in any apologies made.

The Mayor advised Members of a letter that she had received from the Monitoring Officer in respect of concerns raise by the Council and the Clerk regarding the "apologies" given by Councillor Sinclair both in writing during the Full Council meeting on 25 January 2024. Whilst the Monitoring Officer recognised the concern and dissatisfaction, she considered that given the time and resources already expended on this matter, it would not serve the public interest to further refer Councillor Sinclair's behaviour to a meeting of Herefordshire Council's Standards Committee.

Councillor Howells read out a statement, which he proposed be attached to these minutes as a verbatim record.

Sympathy and support was expressed towards Councillor Howells concerning the impact that the behaviour of Councillor Sinclair and other has had upon his health and wellbeing. Thanks were express for Councillor Howells past and continuing service to the Council, the town and its residents.

The Mayor permitted the member of public present to speak.

The member of the public expressed great concern that anyone employed on the Council should have gone through what the Clerk had been subjected to over the past few years. He expressed concern that the Council had failed to offer sufficient support to the Clerk and thought the issue should have been addressed more promptly. They also expressed concern regarding the adverse effects of the many months of abuse upon Councillor Howell's health.

They noted that social media is a platform that can do good but can also open doors to bullying.

They stated that they supported some of Councillor Sinclair's sentiments but did not always agree with the delivery of them and pointed out that it would have been better if the Council had released a statement sooner acknowledging the mistakes that had been made in respect of the War Memorial.

Following further discussion and deliberation the following was **RESOLVED**:

1. **That Councillor Sinclair's statement be struck from the minutes of the meeting of Full Council held on 25 January 2024. Due to the preceding a decision on whether the council will adopt the recommendations from the Monitoring Officer.**
2. **That the Council accept the recommendations made by the Monitoring Officer in the decision report, in respect of complaint number COC052 against Councillor Sinclair, noting that the apology must be deemed acceptable to the Council and Town Clerk.**
  - i. Councillor Sinclair should make a private, written apology to the Town Clerk for his conduct towards her in relation to the renovation of the War Memorial.*
  - ii. Councillor Sinclair should apologise to Ledbury Town Council for his conduct, in particular in not taking steps to ensure members understood the full context of his seeking authority to refer the matter to the police from March to June 2023, and such apology should be minuted at the next Full Council meeting, drawing a line under the issues for the benefit of residents.*
  - iii. The Complainant should, following the above actions, if accepted and completed, provide an update to the Town Council confirming the final position in relation to the War Memorial renovations, such that the Town Council can make resolutions to reassure residents that the Town Council has dealt with all outstanding issues and can move on, this being in the public interest.*



3. That the Council prepare a chronology of events in respect of the War Memorial to be released prior to the Annual Town Meeting in April 2024.
4. That Councillor Howells' personal statement be attached to the minutes of the Full Council Minutes.
5. In advance of the Annual Council meeting in May 2024 the Resources Committee consider the Councils statutory responsibilities to protect staff in the event that assurance of good behaviour going forward has not been received
6. That the Town Clerk prepare a press release advising that the Council have accepted the recommendations made by the Monitoring Officer, in relation to the complaint against Councillor Sinclair.

The meeting ended at 9.00pm.

Signed ..... *Steve P'asn* ..... Dated ..... *28/03/24* .....

(Town Mayor)