



**Draft Minutes from the meeting of the Parish Council on Thursday 18<sup>th</sup> March 2021.**

**In accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the meeting will take place remotely using the Zoom platform.**

**Councillors Present:**

Cllr Webb - Chair

Cllr Darby - Vice Chair

Cllr Papworth

Cllr Waddington

Cllr Speed

Cllr Cluett

Cllr Bates

Anna Lawson - Clerk and RFO

Pauline Fry - Administrative Assistant

**Public session of the meeting commenced at 7.00pm**

No members of the public attended.

7.05pm Cllr Darby Chaired the meeting as Cllr Webb was having technical issues.

**138-2020/21 Apologies for Absence.** To receive and accept apologies where valid reasons for absence have been given to the Clerk prior to the meeting.

Cllr Shaw and Cllr Chauhan

**139-2020/21 To receive declarations of interest under the Localism Act 2011** – being any pecuniary interest in agenda items not previously recorded on Member's Register of Interests.

None received

**140-2020/21 To receive and consider any dispensation requests** on agenda items and decide whether they are to be granted.

None received

**141-2020/21 To approve as a correct record the notes of the meeting held on 18th February 2021.**

To authorise the Chair to sign the official minutes.

**PROPOSED** Cllr Speed, **SECONDED** Cllr Darby, carried **UNANIMOUSLY**

**142-2020/21 To receive and consider a report from the Chairman of the Council. Full disclosure of the allegation of the Code of Conduct Investigation will be provided.**

Item moved to later in the meeting as Cllr Webb had not returned to the meeting.

I have been made aware, via a third party, that West Lindsey District Council has issued two 28 day Censure Notices against me, however I have not received any official notification.

One complainant has been identified as a District and County Councillor in the Censure Notice. In February 2020, the complainant made 13 complaints against me. The complaints dated back to 2018, it was his suggestion that the range of complaints indicated that I was bullying and harassing him, which was a breach of the Code of Conduct expected of a Councillor.

I have felt it necessary to detail these matters since they were made public by WLDC, as questions have been raised by Parishioners and Councillors. Personally, I consider that the amount of time and public money that has been spent investigating these matters has been disproportionate with the alleged breached of the Code. Mediation was not considered, but upon completion of the investigation it was felt that the matter would be not in the public interest financially to allow me to put my case in front of the Standards Committee.

I fully cooperated with the independent investigating officer, however WLDC did not accept his recommendations. This action caused me to become extremely concerned in the application of the Code of Conduct and WLDC interpretation of the Standards Policy. I consider their actions to be unfair, biased, lacking sound and reasoned judgement. As the majority of the accusations were against the Chair of BGPC and not directly against me, I considered that to in order to maintain the integrity of BGPC I needed to no longer participate in such a corrupted process.

The complaints were:

1. Allegations made about the complaint in the Limewood magazine.
2. Threats made towards him at a highways meeting on 6<sup>th</sup> December 2019.
3. Retuning litter picking equipment.
4. That on 2<sup>nd</sup> May 2019, I said to him that "He did not live in the village or do anything for the village".
5. Harassment by asking him monthly question in writing raised by BGPC.
6. Bullying other Councillors.
7. Publicly humiliating him on Bardney Facebook.
8. Producing inaccurate paperwork
9. Practices carried out were in contravention to BGPC constitution.
10. Signed off minutes that did not include the resignation of two councillors.
11. Allowed BGPC to parlous state where the agendas and Minutes did not reflect each other.
12. False claims regarding the Lincsgran Planning application.
13. Carried out an investigation in to the District Councillors Initiative fund.

I would like to state two things at this point, all of the allegations are not a matter of bullying against the complainant. Also, that West Lindsay Code of Conduct Policy states that no investigation will take place were the allegations alleged occurred more than 6 months previous. All but allegations 1 and 2 are alleged to have occurred more than 6 months previously.

In response to the allegations:

#### **Allegations made about Complainant in the Limewood magazine.**

I stated in my Editorial piece, 'perhaps road safety within our villages is only important to residents.' I did not name the complainant in this sentence and the Investigating Officer stated that any liable claim would not stand up in court. I also stated to the Independent investigating officer that the complainant has never offered to assist BGPC with our Community Speed watch despite taking advantage our training sessions, but is a very active member at Cherry Willingham. The complainant also attempted to get the Community Speed Watch scheme at Bardney stopped, by raising complaints to Lincolnshire Road Safety Partnership.

#### **Threats made towards him at a highways meeting on 6<sup>th</sup> December 2019.**

On the morning of Friday 6 December, my council met with the resident's association and the Highways Regional Manager. The complainant suddenly arrived having discovered about the meeting on social media the previous evening. I challenged him as to why he had chosen to attend that meeting when he had ignored all our correspondence, to which he stated that he was there in another capacity. I then asked him as to whether he had added his support to the BGPC highways proposals agreed at a previous meeting, to which he stated that he had not submitted any as he did not agree with one. When questioned as to which one and why, his argument was that the butcher did not approve and that it was not wise to implement a number of highways improvements. I then continued to ask as to why one person's opinion was preventing all the critical highways improvements from being implemented. I confess that I was so outraged by this admission that I repeatedly enquired as to what was more important; pork pies or people's safety. There were eight members of the public, a parish councillor and the Clerk to the Council in

attendance who witnessed this admission. A member of the public also spoke up stating that the butcher did not reside in the village and as such his opinions should not be considered. The argument that it was not wise to implement a number of highways improvements appears illogical and no rational for this was given by the complainant who left shortly afterwards

I also questioned the complainant regarding his post on social media the previous night which I had been made aware of. The post was encouraging people to try many of the beers at one of our local pubs as he had done the night before. However, his car was seen by many parked outside of the local pub and I felt it was highly inappropriate to be going against the annual Lincolnshire Road Safety Christmas Drink Drive campaign especially considering he has a previous conviction for such an offence.

***The Independent Investigator found no evidence to support the allegation of threats being made.***

**Retuning litter picking equipment.**

On 16<sup>th</sup> April 2019 BGPC received a phone call from Waste Manager at WLDC asking for the litter picking equipment to be returned following the complainant's attendance at a village litter pick which took place on 11<sup>th</sup> April. The complainant tried to use the event for his own political purposes despite it being organised by a member of the public and BGPC. He asked for photographs to be taken without the presence of children and then proceeded to discuss local 'Dogging sites' with attendees.

I handed the equipment back to the complainant at the meeting in May as no-one from WLDC had arrived to collect them. He was also posting on social media that his garage was full of bags of collected litter and that WLDC would be collecting the bags and equipment from his home.

BGPC have subsequently purchased litter picking equipment in order to hold litter picking events without the fear of it becoming a political event.

I did give him the equipment and ensured that BGPC staff assisted him in opening doors when he left.

**That on 2<sup>nd</sup> May 2019, I said to the complainant "He did not live in the village or do anything for the village."**

Since 2016 BGPC had been concerned as to why none of the Planning Applications in our area had been considered by the WLDC Planning Committee. especially in relation to the Ryvita Site and expansion of Home From Home Care. BGPC has repeatedly asked for a copy of the decision policy. The complainant had repeatedly been vague about the document. Over the last five years BGPC have intensively researched the Town and Country Planning Act 1990 and the WLDC planning procedures in order to ensure that any development in our area is beneficial to residents.

In April 2019 BGPC submitted a Freedom of Information (FOI) request to WLDC to ask about the Planning Committee decision making policy. BGPC received a response on 02.05.2019 and discovered that the decision was at the discretion of the Chair of the Planning Committee. The Chair of the Planning Committee is the complainant.

I can categorically state that although I did question the complainant about the result of the FOI, I was not aggressive. I was outside the voting hall and there were lots of people in the vicinity all day. I gave independent witnesses but they were not questioned.

None of the independent witness were interviewed.

**Harassment by asking him monthly questions in writing, raised by BGPC**

BGPC write to the complainant in his capacity as District and County Councillor. The letters relate to issues where he resides on the relevant committee. It is entirely normal for Parish Council's to contact a District and County Councillors for information and support. I note that Cherry Willingham Parish Council, who in 2019, asked all of their District Councillors to fund an overhead projector and flower bulbs.

The reason that BGPC formally write to the complainant is because he does not respond to emails, and he does not attend any of our meetings. Perhaps it was not harassment but embarrassment that he did not know the answers nor was he prepared to do the work on behalf of those he is supposed to represent.

***The IO found no breach of the Code***

### **Bullying other Councillors.**

***The IO Found no evidence nor was any provided by the complainant***

### **Publicly humiliating the complainant on Bardney Facebook.**

I do not use social media in any capacity  
I requested evidence, however none was provided.

WLDC have asked BGPC to desist using social media to communicate with local residents. BGPC have complied however it must be stated that this effectively removing the voice of the Parish Council and WLDC do not have the remit to make this request.

***The IO Found no evidence that any breach had taken place by myself***

### **Producing inaccurate paperwork**

I regularly dictate correspondence to the Clerk to issue on my behalf. A clerical error occurred.

***The IO found no breach of the Code of Conduct had taken place***

### **Practices carried out were in contravention to BGPC constitution regarding quotes for the removal of a hedge**

Costs are shown in the minutes from 5<sup>th</sup> September 2019. The work was done in house with additional services purchased.

\*BGPC do not have a constitution, but do have Standing Orders in compliance with the Local Government Act 1972.

\*This is not a Code of Conduct matter but is a matter for the Internal and External Audit. BGPC have passed this audit at the highest level.

BGPC have passed internal audit at the highest level for the last five years.

***The IO found no breach of the Code of Conduct***

### **Signed off minutes that did not include the resignation of two councillors**

This was recorded and Minute 79-2019/20 refers.

***The IO Found no Breach of the Code of Conduct***

### **Allowed BGPC to fall into a 'parlous state' where the Agendas and Minutes did not reflect each other.**

No evidence has been provided to support these allegations. However, BGPC have a CiLCA qualified clerk and currently have a submission for the Local Government Award Scheme. The BGPC website shows that the council are open and transparent and contains more information than other local Parish Councils.

***The IO found no evidence to support this allegation and none was provided by the complainant***

### **False claims regarding the Lincsgran Planning application.**

The legal challenge was issued before the application was withdrawn. The principal reason for the withdrawn application was also referenced in the legal challenge. We gave an assurance to local residents that we would pursue this matter with a legal challenge if necessary and we honoured our commitment to the residents.

***The IO Found no evidence of any breach regarding this allegation***

### **Carried out an investigation in to the Councillor Initiative fund.**

The FOI request has been made after several parishioners contacted BGPC over lack of funding availability. BGPC issued the FOI on behalf of the residents as the complainant does have a history of berating residents who raise questions about his actions.

Several residents have asked me to look into how the complainant made a £1000 donation to a 2020 Calendar. The charity involved, whilst very noble, does not operate within West Lindsey and as such any donation from the Councillor Initiative Fund would be outside the remit of the funding pot. Additionally, there is no evidence to indicate that such a donation was submitted through the appropriate channels.

Several residents had come forward to say their grant applications had not been successful and wanted to know who had received funding. We were also aware that in the past the complainant has given awards to Cherry Willingham PC from this fund when it should be for them to apply to their local ward member according to WLDC policy document.

***No evidence of any breach of the Code was found by the IO against myself.***

### **A second Complaint against me was made by a Parishioner**

The other Censure Notice relates to an incident where I found a member of the public fly tipping on our Community Land. The individual had driven across the Playing field and was parked next to the bonfire pile on the Community Land/Allotments. I went to challenge the gentleman as previous fly tipping incidents in the same area, had ultimately cost BGPC over £2000 in remedial work.

The gentleman was unapologetic and became verbally abusive. I did respond in a similar manner simply because I was angered as BGPC (and tax payers) would ultimately have to pick up the cost of removing the fly tipping. At one stage the gentleman did wield a large branch towards me.

BGPC have now placed a barrier between the Playing Field and the Community Land to prevent this issue occurring again. Unfortunately, this means that this entrance is now no longer available for events being held on the Playing Field. The irony is that the gentleman has subsequently complained to BGPC that the barriers are unsightly.

West Lindsey District Council have the power to issue fines for fly tipping on public land. BGPC have asked WLDC to issue a fine for this incident, however, unfortunately, they have refused to do this without providing an explanation for this decision. BGPC are extremely disappointed that WLDC have chosen not to take action, especially as they promote on social media that those caught fly tipping will be punished.

***The Independent Investigating Officer found that No further action against me should be considered regarding this complaint due to the level of mitigating factors.***

**143-2020/210 To receive and consider a report from the Clerk to the Council** on any outstanding matters and correspondence received since the meeting of 18<sup>th</sup> February 2021.

BGPC have received a complaint from a resident in relation to comments made in last month's Clerk's report in relation to an incident in the Cemetery. The correspondence is available for inspection by councillors on request. The complainants have been issued with a copy of the Complaints procedure and their correspondence has been acknowledged.

I have concerns over actions and procedures implemented by WLDC in relation to a Censure Notice. I have also become aware that other councils have concerns about their actions.

There have been complaints raised on social media regarding the increase in the precept and budget items. There is an explanatory document on our website. It must also be noted that the 2020 increase has still not been finalised nationally.

Concerns have been raised that BGPC do not support Southrey. It must be pointed out that BGPC cut the grass in the Southrey Playing field at cost and assisted with arranging for the hedge cutting. Professional grass cutting organisations charge out at four times higher than BGPC. BGPC also cut all verges approx. every two weeks between March and October. We have always responded to requests for support regarding dog fouling and visitors travelling from outside.



The Post Box has been reinstated in Southrey. BGPC worked with Royal Mail HQ, Royal Mail local managers and LCC Highways to get this actioned. However, we were surprised to see Sir Edward Leigh take the credit for this on Twitter.

At the time of going to press we are still awaiting the LCC Transport announcement regarding the new bus and bus routes. However, at present Brylaine are running the peak service and PC Coaches are doing the off- peak.

Have spoken with LCC Highways Manager regarding the Station Rd car park. It was good to be able to speak with him now that the 'block' has been lifted, thanks to the support of the LCC Chief Executive.

It is becoming apparent that we need to be able to communicate with residents and as such we may need to consider restarting the Facebook page and putting procedures in to monitor content and comments.

The trees ordered from the Woodland Trust will not be arriving due to the fact that their computer system has been hacked and there is no record of the order.

Currently looking to arrange a 'socially distanced litter pick' for the Easter Holidays. Will encourage children to attend and will give out Easter Eggs. Details currently being organised.

It appears that there is a lot of confusion nationally regarding the Annual Parish Meeting and Full Council Meetings as they can be in person after 7<sup>th</sup> May but not indoors until 21<sup>st</sup> June, however legislation states that APM's must be carried out by 1<sup>st</sup> June! Several other councils have been in contact with their MPs over this matter.

**142-2020/21 To receive and consider a report from the Chairman of the Council. Full disclosure of the allegation of the Code of Conduct Investigation will be provided.**

Cllrs to email questions regarding the report directly to Chairman.

All questions and responses will be available to the public.

**144-2020/21 Financial matters:**

- i. To approve the bank reconciliation statement for February 2020/21.  
Bank Reconciliation for February 2021 as at 28.02.21

<b>Balance as at 01.02.21</b>		<b>£58,249.48</b>
<b>Income</b>		
Cemetery	1060.00	
Handyman		270.00
Misc		32.35
Total income		£1362.35
<b>Expenditure</b>		
Admin		161.19
Salaries	4054.38	
Handyman		8965.81
Cemetery	250.00	
Grant		205.00
Total expenditure		£5636.38
<b>Balance as at 28.02.21</b>		<b>£53975.45</b>

Less cheques

**PROPOSED** by Cllr Darby, **SECONDED** by Cllr Waddington, carried **UNANIMOUSLY**

- ii. To ratify payments of accounts, salaries, BACS payments & payments already made for March 2021.

**Payment Ratification March 2021**

				value	VAT	ExVAT	% of budget*
B/P	Wages and NI	February	Salaries	4054.38	0.00	4054.38	
Total Office/Salaries							115% of budget^
PO20766	Viking	stationery	Admin	66.78	0.00	66.78	
Total Admin							61% of budget
PO20763	Charles Hill	Service lawn Mower	Handyman	473.97	79.01	394.96	
PO20765	CG Cannon	Bark chippings	Handyman	144.00	24.00	120.00	
PO20767	E-Quip	Paint and bolts	Handyman	231.23	38.54	192.69	
PO20768	E-Quip	Thinners, saw	Handyman	40.13	6.69	33.44	
PO20769	E-Quip	Screws	Handyman	34.30	2.24	32.06	
Total Handyman							93% of budget
PO20764	Shepherds Seeds	wildflower	Community	157.00	26.17	130.83	
Total Community							153% of budget^^
PO20770	Les Waters	Fencing	Cemetery	180.00	30.00	150.00	
Total Cemetery							42% of budget

^ Cost offset from WPC contribution

^^ purchased using WLDC grant funding

**145-2020/21 Planning matters** To note any approved applications received and to consider any planning applications and decide any comments that the Council wishes to make.

Chestnut Homes have applied to have a condition removed from a previous planning application.

BGPC will object to this application.

**APPLICATION REFERENCE NO: 142432**

**PROPOSAL: Planning application to demolish existing calf shed and bull pen, repairs to affected barn gable and erection of new calf shed.**

**LOCATION: Court House Farm Low Apley Market Rasen LN8 5JH**

**APPLICATION TYPE: Full Planning Application**

**APPLICATION CATEGORY: Minor - all others**

No comments to be made.

**146-2020/21 Ward Reports** To receive ward reports from council members

Cllr Darby commented on how nice the village benches were looking after being repaired and painted.

Cllr Waddington noted that the car park on Station Road appeared to be used more.

No other ward reports.

Due to technical issues Cllr Bates left the meeting

**147-2020/21 To consider request to place shed on an allotment plot** To consider a request from an allotment holder.

Propose to agree to request.

**PROPOSED** by Cllr Webb, **SECONDED** by Cllr Darby, carried **UNANIMOUSLY**

**148-2020/21 To consider carrying out a tree survey.**

Quotes will be organised.

**PROPOSED** by Cllr Darby, **SECONDED** by Cllr Speed, carried **UNANIMOUSLY**

**149-2020/21 To consider introducing awards for announcing at the Annual Parish Meeting**

Cllrs to email clerk with names of people who they would like to receive an award. Names to be brought to next Full council Meeting.

**150-2020/21 To receive update on St Oswald Feast**

Cllr Darby, Cllr Chauhan and the Clerk have attended meetings with ALS to organise feast on 1<sup>st</sup> August 2021 as long as COVID restrictions allow.

**151-2020/21 To receive update on submission to Public Rights of Way Team.** To consider inclusion of Right of Way on the Definitive Map.

Ongoing work being carried out.

**152-2020/21 To receive update on safety issues on the Balancing Pond at Chestnut Homes.**

Chestnut Homes have already been contacted in the past regarding this issue. ROSPA have also been contacted but they would only carry out a survey if contacted by Chestnut Homes.

**153-2020/21 To consider renewal of policies;**

- i. Health and Safety Policy.  
**PROPOSED** by Cllr Webb, **SECONDED** by Cllr Waddington, carried **UNANIMOUSLY**
- ii. Complaints Policy  
**PROPOSED** by Cllr Webb, **SECONDED** by Cllr Waddington, carried **UNANIMOUSLY**
- iii. Financial Risk Assessment.  
**PROPOSED** by Cllr Webb, **SECONDED** by Cllr Speed, carried **UNANIMOUSLY**

**154-2020/21 Establishment – to resolve to go into closed session in accordance with Public Bodies (Admissions to Meetings) Act 1960 to discuss the following matters.** A separate meeting ID and password will be provided to councillors.



**PROPOSED** by Cllr Webb, **SECONDED** by Cllr Darby, carried **UNANIMOUSLY**

Cllr Bates re-joined the meeting

**155-2020/21 To receive update on LALC**

**156-2020/21 To receive update on the Parish Office**

Meeting closed at 8.20pm

**157-2020/21 To approve date and time of next meeting 15th April 2021.**

DRAFT