

**MINUTES OF THE MEETING OF THE CASTLE
BROMWICH PARISH COUNCIL
HELD IN ARDEN HALL, CASTLE BROMWICH
ON WEDNESDAY 5TH DECEMBER 2012
AT 7.30 PM**

Those present:

Chairman: Cllr M Hayes

Councillors: Cllr Mrs. P Allen Cllr J Horne-MacDonald Cllr Mrs. L Smith
 Cllr R Amos Cllr E Knibb Cllr A Terry
 Cllr Mrs. A Haywood Cllr M Rashid [Items 4-end only]
 Cllr E Hicks [Items 4-end only] Cllr J Whelan
 Cllr I Hiley Cllr J Riordan Cllr Miss J Ward

Officers: Mrs. C Tibbles, Clerk to the Council and RFO

Public: None.

1. Apologies.

The apologies from Cllr Mrs. B Wilkins were noted for the reasons given. Cllr Rashid and Cllr Terry would be unavoidably late arriving.

2. Declarations of pecuniary or conflict of interests.

None.

3. Dispensations.

None.

4. Complaints against the Council.

Members noted that the meeting had been called to ratify the decision of the Clerk, taken under delegated powers after she had spoken to members on the subject, that she would welcome an independent investigation into the issues that existed between the members of Castle Bromwich Cricket and Sports Club and the Parish Council to establish the findings of fact. The report of the Clerk and the preliminary advice sought from Caroline Spelman MP, Warwickshire Association of Local Councils and the Deputy Monitoring Officer at Solihull MBC. The NALC legal advice that had been circulated was also noted. There was no request for the meeting to be held under confidential terms. Following discussion and clarification and the two lesser options that could not be expedited quickly, the Chairman confirmed that he was not receiving telephone calls from the current Chairman of the hire group, emails that he still received were copied to the council office and that he could not block individual email senders at work. Members were concerned that direct communication to the Council chairman could compromise his position and following a brief discussion, **IT WAS AGREED** any communication to any member could be politely acknowledged by an individual member but nothing more should be said. A member handed the Clerk a letter that he had received and this would be acknowledged. The Chairman apologized if he had upset anyone at the previous meeting when procedural matters were being considered. **ON THE PROPOSITION** of Cllr Mrs. Smith, **SECONDED** by Cllr Amos, **IT WAS UNANIMOUSLY RESOLVED** that the Clerk's recommendations be accepted in full with the important addition that no individual councillor should allow any communication, email, meeting or discussion with any Club representative or known members to take place while the independent investigation was taking place as contact could risk prejudicing any outcome. The recommendations accepted were that the purpose of this meeting was not to consider or discuss the complaints but solely to ratify

ACTION

All Members
Asst Clerk asap

All Members

N.B. All Minutes are deemed as draft until formally approved and signed.

the Clerk's decision and agree the process; that through the auspices of WALC, the Council was entitled to access two hours of time from an independent person, with charges for additional work being £50 per hour; that the independent person sets the parameters of the investigation and should have access to all council documentation as required; that the findings of fact would be binding on both parties and made public in the shortest timeframe; the independent person may be able to make suggestions on the way forward for both parties; that all communications on these matters should be held in abeyance with immediate effect pending the results of the investigation; the Council and Club to agree one sole person to deal with day-to-day matters to ensure that existing commitments could be met and that this should be the Clerk and the Club Secretary; to note that all parties who gave advice concluded that the Borough Council would not be the appropriate agency to investigate the issues; that to maintain independence and protect herself, the Clerk had not made contact with the possible independent person.

Members noted that should an independent person be appointed, the Club Secretary had verbally given his permission for his contact details to be passed on but that agreement would be needed from each complainant for their details to be passed to the independent person. Cllr Riordan asked what the likely cost would be and the Clerk undertook to report to the Finance and General Purposes Committee when an indication was known so that financial parameters could be outlined.

ON THE PROPOSITION of Cllr Mrs. Haywood, **SECONDED** by Cllr Hicks, **IT WAS FURTHER UNANIMOUSLY RESOLVED** that members recognized and thanked the Chairman of the Council for his earnest endeavours in bringing the Council to this stage where, with the support of the Clerk, a speedy independent investigation could take place.

5. Report of the Officer of the Council.

The confidential report of the Clerk was noted. Item 1 was accepted with regret and the changes to procedures implemented by the Clerk on Friday 30th November were endorsed. The Clerk thanked the councillors who had accompanied her to the pavilion. Members **AGREED** that every measure possible should be taken to protect members of staff. Item 2 was noted with concern.

ACTION

Clerk
asap

Clerk asap

Clerk
tba
Clerk
tba