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Balsall Parish Council Meeting

Approved Minutes of Extraordinary Parish Council Meeting held on Thursday 8 February 2018 at 7.30pm in the Westlake Room, The Village Hall, 112 Station Road, Balsall Common CV7 7FF

Minutes

Present: Councillor Mark Tattum (Chairman), Councillor Judy Lea, Councillor Will Heard, Councillor Marie-Louise Marsden, Councillor Helen Dean, Councillor Lionel King, Councillor Christina O'Sullivan, Councillor Sheila Cooper, Councillor Lee Quinney and 12 members of the public including Dave Felthouse of BVCRA.

The Chairman opened the meeting and proposed a resolution as follows:

Proposed that in view of the special and confidential nature of the business about to be transacted, it is advisable in the public interest, as if members of the public were present during the consideration of such business, there would be disclosure to them of exempt information under paras 1 and 11 of Part 1 of schedule 12A of the Local Government Act 1972, that the public be excluded and they are instructed to withdraw.

It was resolved to exclude the public.

The Chairman explained to the members of the public present that it is considered that item 4 is confidential as it concerns the employee of the council.

The Chairman explained to the members of the public present that it is considered that item 5 is special as the item concerns advice received, information obtained or action to be taken in connection with legal proceedings involving the council and therefore it is not in the public interest to disclose.

In addition, as there were no other items on the agenda which were public, agenda item 3 public forum, was withdrawn.

However, as a result of a proposal **and resolution to hold a public forum for residents of the parish to make representation, answer questions and give evidence in respect of the business not on the agenda, before the meeting is then closed to the public**, the following comments were received:

Request to explain what a public forum is for and whether if questions to the council are to be made, should these be made in writing beforehand.

The Standing Orders were explained which make provision for a public forum to impress views and provide evidence from residents to inform the decision making on the agenda items of council meetings.

There was a further comment relating to the items from which the public had been excluded and so this could not be addressed.

A pre-prepared statement was read out by Dave Felthouse which also related to the items from which the public had been excluded. However it contained inaccuracies relating to the statutory controls of local government (principle of surcharge) which the clerk will respond to after the meeting.

The public then left the meeting and were thanked for their comments.

Councillor Cooper left the meeting without giving apology.

1. Apologies

Apologies were received from Councillor Richard Lloyd.

2. Declaration of Interests

There were no declarations of interest.

3. Public Forum

The public forum was withdrawn.

4. Correspondence received by the clerk from Councillor Sheila Cooper between 19 December 2017 and 23 January 2018 with regard to the Council's role as employer.

The above correspondence had been considered by Staffing Sub-Committee on 30 January 2018 together with a number of questions the contents had raised. Councillor Sheila Cooper had not accepted an invitation to attend the Staffing Sub-Committee to clarify and in the light of Councillor Sheila Cooper's absence at this full Council meeting to answer questions raised, the Council proceeded without this contribution.

The Staffing Sub-Committee on 30 January 2018 resolved to submit a Code-of-Conduct complaint concerning Councillor Sheila Cooper to SMBC to be assessed as per agreed procedure.

The Staffing Sub-Committee on 30 January 2018 also resolved to refer the email documentation to the full Council to view in the light of a duty of care to their employee and to consider taking steps to protect the Council as employer.

Resolved to support the resolution of Staffing Sub-Committee of 30 January 2018 to submit a Code of Conduct complaint concerning Councillor Sheila Cooper to the Monitoring Officer of SMBC.

Resolved to make a further censure of Councillor Sheila Cooper's actions that the full Council consider unacceptable.

Resolved that Councillor Sheila Cooper is forbidden to contact the clerk by email, letter, telephone or in person. Any communication that is received will be dealt with by Councillor Judy Lea as a member of the Staffing Sub-Committee, preferably by telephone.

Resolved that Staffing Sub-Committee meet monthly for the foreseeable future to monitor.

Resolved to put in place policies and procedures to support the employee and employer e.g. Dignity and Work, Acceptable and Unacceptable Behaviour, Harassment, Disciplinary and Grievance.

Resolved to delegate to the clerk the taking of legal advice on the position of the Council as an employer.

Resolved to request Staffing Sub-Committee look into the provision of independent support for the clerk.

5. Correspondence received by the clerk from Councillor Sheila Cooper between 19 December 2017 and 23 January 2018 with regard to the duties and responsibilities of the Council.

The Staffing Sub-Committee on 30 January 2018 resolved to refer the email documentation to the full Council to consider the reputational risks, financial risks and legal risks to the Council.

Resolved to write to all individuals outside Balsall Parish Council that have been contacted by Councillor Sheila Cooper in the emails under consideration. To advise the recipients that Councillor Cooper has not validly represented the decisions of Balsall Parish Council and does not represent Balsall Parish Council.

Resolved to reconfirm the resolution made by full Council on 19 July 2017 that Councillor Sheila Cooper is not to represent Balsall Parish Council in public and to extend the exclusion of Councillor Sheila Cooper from all positions on committees, working parties and as a Council representative on outside bodies for the duration of her term of election to May 2019.

Resolved that the report of emails is itemised in order to be able to refute the false statements made.

6. **Date of next meeting: Wednesday 21 February 7.00pm in the Westlake Room, Village Hall, 112, Station Road, Balsall Common CV7 7FF**

SIGNED Mark Tattum (Chairman) DATE