

Hesketh with Becconsall Parish Council

Council Meeting Minutes

1st April 2003 – 31st March 2004

COUNCIL FOR THE YEAR

Councillor C Iain Ashcroft

Councillor Raymond C Ball

Councillor Brian Birkby (Resigned July 2003)

Councillor Christine Farrington (Elected October 2003)

Councillor J Robert Foster

Councillor Norma M Goodier

Councillor John Hunter

Councillor Rev'd Richard Plant

Councillor Antony P Murphy

Councillor Paul J A Sergeant

Councillor Lesley Standish-Gore

Councillor Hilary J Tompkins

CLERK & R.F.O.

Mr Rodney Sears (Dismissed August 2003)

Mr Ian T Cropper (Appointed December 2003)

HESKETH WITH BECCONSALL PARISH COUNCIL

Minutes of the meeting held on Thursday, 1 May 2003 in the Methodist Church Hall,
Hesketh Bank at 7.30 pm

PRESENT: Councillor R C Ball (Chairman)

Councillors Mrs N Goodier; Mrs L Standish-Gore and Mrs H Tompkins

Councillors I Ashcroft; J R Foster; A P Murphy; R Plant; and PJ A
Sergeant

Apologies were received from Councillors B Birkby and J Hunter and
there were over thirty members of the press and public present.

DECLARATIONS OF INTEREST

There were no declarations of interest.

VOTE OF NO CONFIDENCE IN THE CHAIRMAN

The Chairman stated that he was withdrawing this item from the agenda, when questioned why he informed the council that publication 2/86 was required. When Council members protested, the Chairman closed the meeting without the Council's consent.

The Clerk was requested to carry on with the meeting and for the Vice Chairman to take the Chair for the remainder of the meeting.

At 7.39 pm The Chairman, Councillors Mrs L Standish-Gore; Mrs H Tompkins and J R Foster left the meeting. The clerk also left the meeting after being requested to remain.

The meeting was adjourned while advice on whether the meeting should continue was sought by telephone from the County Advisor of LAPTC.

As there were 5 Council members willing to continue, the meeting re-convened at 7.55 pm. Councillor A P Murphy took the Chair.

Vote Of No Confidence In The Chairman

RESOLVED: This resolution was approved unanimously.

TREE FELLING ON THE FOOTBALL GROUND

Several members expressed concern with the problem of payment, they believed that the contractor thought he was doing this in good faith and perhaps payment should be settled on condition that the mess be cleared and the land re-instated.

RESOLVED: To instruct the clerk to write to the contractor to re-instate the ground, before consideration is given to settling the account.

This resolution was approved unanimously.



The Football Club had received a letter dated 11 February 2003, requesting a suitable date for a meeting with the Parish Council.

It was agreed for Councillor A P Murphy to liaise with the Chairman of the Football Club for suitable dates for a meeting.

It was unanimously agreed that no action be taken on any proposals to replace the Conifers until after this meeting.

DATES OF MEETINGS

Concern was expressed that the dates for meetings agreed by the Parish Council in May and December 2002 had not been adhered to. The Parish Council meeting that should have taken place on Monday 7 April 2003 was completely ignored by the Clerk. It was noted that this was the same date that Tarleton Parish Council held their Annual Assembly.

RESOLVED: The meeting on Monday 12 May should commence at 7 pm to elect officers for the Parish Council. At 8 pm the meeting be suspended to allow the AGM; if time allows reconvene the Parish Council Meeting.

This resolution was approved unanimously

Councillor I Ashcroft said he would obtain the dates of the District Council's planning meetings to enable the Council to set future Parish Council dates.

STANDING ORDERS

There had been a misunderstanding as to what set of Standing Orders the Council should be working to.

In July 2000 Resolution 64/2000 was agreed that a sub-committee be formed to make recommendations to the full Council for amendments and changes to the Standing Orders.

In June 2001 Resolution 54/2001 resolved that the recommendations of the sub-committee be accepted and the revised Standing Orders (dated April 2001) be adopted.

RESOLVED: The Parish Council has been working to the Standing Orders (dated April 2001) and will continue to do so until any new Standing Orders be accepted by the Council.

Councillor Murphy (acting as Chairman) suggested that as there were so many members of the public present the Council should allow public participation. The Council agreed.

The following issues were discussed:

Misuse of public funds with regards to the removal of the conifers on the football field and the mess that has been left.

Drainage problem on Delta Park, it was suggested inviting a representative from Environmental to a future Parish Council meeting. The Council will inform the resident from Delta Park.



Dates and venues of future Parish Council meetings.


EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That the press and members of the public excluded from meeting.

CLERK'S DUTIES RE; PARISH COUNCILLORS

A long discussion took place regarding the clerk's impartiality, the misleading way he advised members with regards to Agenda items, not including items in the minutes when a Councillor had specifically asked for the item to be minuted; all of which is not what is expected from an experienced Clerk. It was also agreed that the clerk had jeopardised his position by leaving this meeting

RESOLVED: The Council to write to the Clerk advising him of the above.



Handwritten signature and date: 20/5/03.

HESKETH-WITH-BECCONSALL PARISH COUNCIL

Minutes of the Annual General Meeting held on Tuesday 20 May 2003 in the Village Hall, Hesketh Bank at 7.30pm.

PRESENT:- Cllr.R.Ball (Chair)
Cllr.Mrs.L.Standish-Gore
Cllrs.I.Ashcroft, B.Birkby, J.R.Foster, Mrs.N.Goodier, J.Hunter,
A.Murphy, R.Plant, P.Sergeant, Mrs.H.Tompkins.

There were approx. 19 members of the public present at the meeting.

001/2003 Apologies

There were no apologies for absence.

002/2003 Election of Chair

Cllr.Murphy was proposed by Cllr.Ashcroft, and seconded by Cllr.Hunter. There being no other nominations Cllr.Murphy was appointed as Chair, by 6 votes to 1, with 3 abstentions. He duly signed his acceptance of office.

At this point of the meeting (7.33pm) Cllr.Hunter complained that as this was a 'closed' meeting he objected to members of the public video-recording the procedures. The Clerk's advice was that this was a public meeting and the recording was lawful, provided that the recording was not being carried out by Members of the Council. A vote was taken regarding whether the recording should be discontinued, and this was agreed by 6 votes to 4. When the member of the public refused to stop recording it was ordered by the Chair that the Police should be called. Cllr.Ashcroft duly left the meeting, presumably to contact the Police.

The meeting was reconvened at 8.02pm, the Chair stating that under 1908 legislation the Police had no powers to intervene, unless the member of the public became disruptive. The member of the public promised not to be disruptive and the meeting continued.

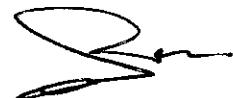
003/2003 Election of Vice-Chair

Cllr.Sergeant was proposed by Cllr.Plant and seconded by Cllr.Mrs.Goodier. There being no other nominations Cllr.Sergeant was appointed as Vice-Chair, by 6 votes (Cllrs.Murphy, Sergeant, Plant, Hunter, Ashcroft, and Mrs.Goodier) to 2 (Cllrs. Mrs.Tompkins, Ball) with 2 abstentions (Cllrs.Foster and Mrs.Standish-Gore). He duly signed his acceptance of office.

004/2003 Election of other officers/representatives on outside bodies

Hesketh-with- Beconsall CE School
LAPTC
Hesketh Village Institute
Lancs.Playing Fields Assoc.

Cllr.Mrs.Goodier
Chair, Vice-Chair, Cllr.Ashcroft
Cllr.Sergeant
Cllr.Sergeant



CPRE	Cllr.Plant
West Lancs.Env.Network-	Cllr.Foster
West Lancs.Right of Way & Access Forum	Cllr.Foster
Layfield Charity	Cllr.Mrs.Goodier
Tree Warden	Cllr.Hunter
Tarleton High School Sports Committee	Cllr.Murphy
Local Agenda 21 – Northern Parishes Public Transport and Road Issues Focus Groups – to be nominated on an ad hoc basis.	

005/2003 Appointment of sub-committees

Recreation – Chair, Cllrs. Mrs.Goodier, Ashcroft, Birkby, Sergeant.
Allotments – Chair, Cllrs. Foster, Hunter, Sergeant.
Footpaths, Tree Wardens, and Environmental Issues – Chair, Cllrs.Mrs.Tompkins,
Foster, Hunter.
Centenary Sports Ground – Chair, Cllrs.Mrs.Goodier, Birkby, Ashcroft.

006/2003 Statutory meetings

It was agreed that future Council meetings be held as far as possible on the Monday of each month prior to West Lancs.District Council's Planning Committee. The Chair proposed 23rd June, 6th October, 12th January, and 17th May as the four statutory meetings. The Clerk was asked to prepare a timetable for the remaining meetings.

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23/6/03

HESKETH-WITH-BECCONSALL PARISH COUNCIL

Minutes of meeting held on Tuesday 20 May 2003 in the Village Hall, Hesketh Bank, following the AGM.

PRESENT:- Cllr.A.Murphy (Chair)
Cllr.P.Sergeant
Cllrs.I.Ashcroft, R.Ball, B.Birkby, J.R.Foster, J.Hunter,
Mrs.N.Goodier, R.Plant, Mrs.L.Standish-Gore, Mrs.H.Tompkins.

There were approx. 19 members of the public present at the meeting.

007/2003 Apologies

There were no apologies for absence.

008/2003 Declarations of Interest

Cllr.Mrs.L.Standish-Gore declared a personal interest in Planning Application No.8/2003/0285.

009/2003 Minutes of meetings held on 10, 31 March, 1 May 2003

The minutes of the meeting of 10 March were signed by the Chair as a correct record, subject to the amendments made at the meeting on 31 March.

The minutes of the meeting of 31 March were signed by the Chair as a correct record after taking into account the following amendments:-

Minutes of Meeting 10 March, 2nd para – delete the remainder of the paragraph after “meeting” on 2nd line. This was agreed by 5 votes (Cllrs.Murphy, Sergeant, Plant, Ashcroft, Mrs.Goodier) to 2 votes (Cllrs.Ball, Mrs.Tompkins). Cllr.Foster abstained.

4th paragraph to be deleted in its entirety. This was agreed by 5 votes to 2 (same named voting as above).

Final paragraph to read, “The Chair closed the meeting at 7.38pm”. This was agreed by 5 votes to 2 (same named voting as above).

It was proposed by the Chair that the minutes of the meeting held on 1 May produced by the Clerk be totally disregarded and be replaced by the minutes produced and distributed by Cllr.Mrs.Goodier. This was agreed by Cllrs. Murphy, Sergeant, Plant, Ashcroft and Mrs.Goodier. Cllr.Mrs.Tompkins did not wish to be involved in this debate as she was seeking independent advice on the matter. Cllr.Mrs.Goodier stated that these substituted minutes had already been approved by LAPTC. They were agreed as a correct record by Cllrs.Murphy, Sergeant, Plant, Ashcroft, and Mrs.Goodier and duly signed by the Chair.

010/2003 Matters arising from minutes

There were no items raised under this heading.

011/2003 Correspondence

The Council considered the following items of correspondence, which required a decision:-

A National Playing Fields Technical Advisory Notice outlining NPFA Risk Assessment methodology for inspections of Children's Playgrounds. It was agreed that the Council was covered by the monthly inspections carried out by Yates.

The Clerk mentioned the condition of the cricket ground, which had deteriorated due to football being played on the ground, especially in inclement weather on the day of a match. The Clerk was asked to write to the Cricket Club to clarify insurance in the case of an accident occurring on the cricket ground, which had been caused by other activities.

Letter from WLDC (Council Secretary & Solicitor) regarding correspondence from the Standards Board, and a suggestion that members seek extra training in how to best undertake the business of the Council and reduce inter-personal conflict with other Councils. The previous Clerk had already replied stating that the Council did not consider further training was necessary. It was now considered that extra training may be beneficial and the item was deferred until the July meeting.

Letter from WLDC (Planning & Development) regarding Design Guide for Shop Fronts in West Lancashire. No comments.

Letter from West Lancs. Crossroads Caring for Carers regarding financial assistance. Deferred until later in the year to be considered with other requests.

Letter from WLDC (Planning & Development) regarding caravans on land adjacent to Cedars, Boundary Meanygate, and the enforcement notice served on Mr. Baybutt. Noted.

Letter from LCC regarding Rural Transport Marketing, Services 306 & 361. It was agreed that the services could be publicised on the website and notice boards.

Letter from WLDC (Environmental Services) regarding discussion workshop on Street Cleansing. To be discussed at a future meeting.

Letter from LAPTC requesting which items would be of interest to our Council. Reply to include drinking bans, Quality Council, Quality Clerks, and anti-social behaviour orders.

Letter from Office of the Deputy Prime Minister detailing Amendments to the regional Assemblies (Preparations) Bill. Noted.

Letter from LAPTC enclosing copies of accounts for 2000/01 and 2001/02 and asking for our comments. No comments on the accounts, but Cllr.Plant commented from his experience on the success of training days.

The Council noted the following items of correspondence, which had been received for information:-

Various agenda and Members' updates from WLDC.

Letter from Inn Court – change of licence at 85 Station Road.

Letter from WLDC (Planning & Development) – List of Locally Important Buildings, reply to our letter.

Letter from the Information Commissioner – Freedom of Information Act, adoption of the Parish Council Model Scheme.

Letter from WLDC (Planning & Development) – Residential developments, supplementary planning guidance.

Letter from Home Office – Immigrant Workers

3 letters from local residents regarding removal of trees.

Letter from WLDC (ACE) – Review of the Citizens' Panel and Area Consultative Forums.

Letter from DEFRA – Licensing Bill as it affects rural areas.

Letter from WLDC enclosing Register of Electors, and advice to Parish Councillors on disclosing any information.

Letter from WLDC (Housing) – Best Value Reports Leisure and Street Cleansing.

Letter from DEFRA – Quality Town and Parish Council Initiative.

Letter from HLB AV Audit (via LAPTC) indicating where additional work may be required when completing annual returns.

CPRE Newsletter.

Letter from Environment Agency – Review of BNFL's authorisations for their Springfields site. The Clerk had replied that the Council wished to remain on the list of consultees.

Letter from LCC – Summary of the Constitution.

Letter from Road Issues Focus Group – Details of meeting.

Letter from LAPTC – Details of meeting of Area Committee.

Letter from WLDC (Solicitor) – Parish Register of Financial and Other Interests, reminding Members to take care to register correctly. The Clerk reported that Members had already been notified, and none had requested a Form LGA3 for changing details.

Letter from LAPTC – Appointment of Primary School Governors.

Letter from WLDC (Deputy Chief Executive) – Use of land as touring caravan site, 140 Station Road. WLDC will undertake further investigations.

LCC – Copy of Lancashire County Handbook.

Letter from Victim Support – Recruitment Poster.

Letter from LAPTC – Accounts and Audit Regulations 2003, and details of Quality Parish Council Scheme.

012/2003 Finance

The Council considered a list of accounts for payment, some of which had been paid prior to the meeting.

A debate ensued regarding whether the account for tree felling (L.Crabtree) should have been paid. Advice had been sought from LAPTC, and the meeting was adjourned from 9.40pm to 9.55pm to allow Cllr.Ashcroft to return home for a copy of the letter.

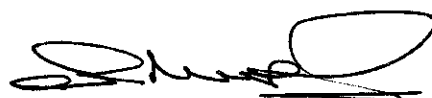
The Clerk detailed all cheques, which had already been paid, including dates. It was noted that not all cheque stubs had been signed by two signatories. Cllr.Mrs.Goodier asked how many more cheques there were which Members did not know about and stated that there was a case for “fraud”. The Clerk replied that details of all cheques were on the list, which had been circulated to Members. Cllr.Mrs.Goodier queried whether all cheques were actually being sent to the name on the cheque, mentioning specifically the Inland Revenue.

At 10pm the Chair closed the meeting on a vote of 6 (Cllrs.Murphy, Sergeant, Hunter, Plant, Ashcroft, and Mrs.Goodier) to nil, the remaining Members abstaining.

The Chair demanded that the chequebook be handed over to him. The Clerk reluctantly obliged.

It was agreed that the next meeting should commence at 7pm (23 June) to allow for the adjourned business to be concluded.

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23/6/03.

HESKETH-WITH-BECCONSALL PARISH COUNCIL

Minutes of Special Meeting held on Monday 16 June 2003 in the Village Hall, Hesketh Bank, at 7.30pm.

PRESENT:- Cllr.A.Murphy (Chair)
Cllr.P.Sergeant (Vice-chair)
Cllrs.R.Ashcroft, R.Ball, B.Birkby, J.R.Foster, J.Hunter,
Mrs.N.Goodier, Mrs.L.Standish-Gore, Mrs.H.Tompkins.

There were approx. 18 members of the public present at the meeting.

The Chair stated that Mr.Watson (County Advisor from LAPTC) was present as his guest, and with the approval of LAPTC. Mr.Watson took his place next to the Chair.

Prior to the commencement of business Cllr.Mrs.Tompkins queried why details of the meeting had been posted on the website before Members of the Council were informed. The Chair denied any knowledge of this as he had been on leave for a week.

013/2003 Apologies

Apologies were received from Cllr.R.Plant.

014/2003 Declarations of Interest

There were no declarations of interest.

015/2003 Parish Council Bank Accounts – Change of Signatories

It was agreed, by 8 votes to nil with 2 abstentions, that the Chair, Vice-Chair, Cllr.I.Ashcroft, and Cllr.J.Hunter, be the four nominated to sign cheques. Any 2 from these four allowed to sign.

016/2003 Finance

Accounts already paid prior to May meeting

It was noted that the following accounts had been paid between meetings, signed by a combination of the three authorised signatories, Cllr.R.Ball, Cllr.Mrs.L.Standish-Gore, or Cllr.I.Ashcroft. This was in accordance with Standing Order 35 (b).

291	WLDC	Civic Dinner	32.00
292	R.P.Sears	Clerk's salary (Feb)	219.83
293	Inland Revenue	Tax deducted	62.00
294	Southern's	Filing Cabinet	163.91
295	Lancs.BKV	Entry fee	10.00
296	Ken Linford Gardencare	Tree maint.	9.64
297	R.P.Sears	Clerk's salary (Mar)	219.83

298	Inland Revenue	Tax deducted	62.00
299	L.Crabtree	Tree felling	2350.00

Cllr.Mrs.N.Goodier queried why Cheque No.300 had been cancelled. The Clerk explained that a cancelled cheque had to be sent to the Public Works Loan Board for identification purposes when applying for a loan.

Regarding cheque No.291 it was agreed by 5 votes to 4, with one abstention, that Cllr.R.Ball be invoiced for £32 for representing the Parish Council at West Lancs.District Council's Civic Dinner. Cllr.Ball had initially stated that he would not be attending, but had later changed his mind. It was not, therefore, minuted regarding payment. Cllr.Mrs.Goodier stated that she had paid her own expenses etc. when representing the Council at Buckingham Palace.

It was also agreed by 6 votes to 4 that the Parish Council would not fund Members representing the Parish Council at future functions.

A debate ensued regarding the payment of Cheque No 299 (L.Crabtree) and whether proper procedures had been followed. After a lengthy discussion it was agreed by 6 votes to 3, with 1 abstention that this item be deferred to Part II.

Disputed account – D.Rowell for Drainage Work

After discussing previous minutes and correspondence it was agreed that the outstanding invoice in the sum of £15,513.13 be paid. All in favour of this proposal except Cllr.Hunter who abstained.

It was also agreed that the interest charges be not paid due to the fact that the Contractor had not submitted estimates as requested, and no Terms and Conditions of Trading had previously been supplied.

Cllr.Birkby proposed, and it was agreed, that our Insurers be approached regarding a possible claim being submitted.

Accounts for payment

The following accounts were passed for payment:-

501	LAPTC	Annual subs	441.95
502	Yates	Inspection/repairs	526.40
503	R.P.Sears	Clerk's salary (Apr)	219.83
504	Inland Revenue	Tax deducted	62.00
505	Yates	Inspections	77.55
506	Allianz Cornhill Ins	Insurance premium	574.71
507	B.W.Rimmer	Clerk's expenses	202.61
508	David Ward Cleaning	Bus shelter cleaning	210.00
509	LPFA	Annual subs	11.00
510	Ribble Catchment Cons	Annual subs	15.00
511	Hesketh Bank Chapel	Hire of hall	20.00
512	Tarleton Parish Council	Traffic Assessment survey	1250.00 -

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513	Yates	Inspections	77.55
514	North Meols Parish Council	Photocopying services	13.23
515	R.P.Sears	Petty Cash (Feb-Mar)	65.10
516	R.P.Sears	Clerk's salary (May)	219.83
517	Inland Revenue	Tax deducted	62.00

Regarding Cheque No 512 the Clerk was requested to obtain a copy of the Traffic and Transport Analysis report from Tarleton Parish Council.

Items of Income

The following items of income were noted:-

Hesketh Bank CC	Annual rental	222.00
Hesketh Bank Bowling Club	Annual rental	447.00
Whiteside	Allotments	36.00
WLDC	Precept (1 st half)	14900.00
Chadwick	Allotments	24.00
WLDC	Concurrent (1 st half)	2362.74

PWLB – Application for Government Loan

The Chair brought Members up-to-date on this item, referring to a letter he had received from the Clerk. In accordance with Min.No. 144/2002 application for borrowing approval had been made via LAPTC on 14 April. The Office of the Deputy Prime Minister gave borrowing approval on 1st May. Loan application was made to the Public Works Loan Board on 8 May. The loan of £100,000 was received on 19 May and the contribution of £50,000 passed to LCC regarding the Tarleton High School project on the understanding that the contribution was made on the basis of public access being available. A working group would be formed to compile a constitution and a Member of our Council would be invited to attend subsequent meetings. A letter to this effect had been received from the High School.

The Chair stated that again proper procedures had not been followed, and £50,000 of tax-payers' money had been "given away". He referred to the Minute, which stated that the resolution was subject to further negotiation with interested parties and this had not taken place. All residents should be consulted before this project went ahead. Cllr.Mrs.Goodier complained that the necessary Forms had not been brought before the Council before being submitted. Cllr.Ashcroft proposed, and it was agreed, that in future all Forms are agreed by the Council. Regarding the £50,000 for the purchase of land for outside sports facilities there was currently no specific plot of land in mind.

It was agreed that this Council seek further advice from LCC concerning the payment of £50,000 to LCC (Tarleton High School, and secondly the repayment of £50,000 to the PWLB. This was agreed by 6 votes (Cllrs.Murphy, Sergeant, Ashcroft, Birkby, Hunter, and Mrs.Goodier) to 2 votes (Cllrs.Ball and Mrs.Standish-Gore) with 2 abstentions (Cllrs. Foster and Mrs. Tompkins).

During this debate the Chair, acting under Standing Order 28, warned Cllr.Ball regarding his misconduct.

Tarleton High School – Application for financial assistance for new sports hall.

This item was covered under the previous item.

It was agreed by 7 votes to 3 that the following item be taken under Part II and the press and the public should be excluded. Cllr.Ball stated that as Mr.Watson was a member of the public he should be asked to leave.

It was also agreed by 6 votes (Cllrs.Murphy, Sergeant, Hunter, Birkby, Ashcroft, and Mrs.Goodier) to 2 (Cllr.Foster and Ball) that Mr.Watson should remain in the meeting. Cllrs. Mrs.Tompkins and Mrs.Standish-Gore abstained.

016/2003 Clerk to the Council R.P.Sears

Contract of Employment

The Clerk reported that he had received a Contract of Employment from the Chair, via the previous Clerk. This had been signed before the Council meeting on 10 March, subject to a few minor amendments. The amendments had not been formally agreed by the Council. The Clerk was unaware that this should have been signed and agreed in the presence of the Members of the Council.

It was agreed by all Members that the following amendments to the Clerk's Contract of Employment be authorised:-

Paragraph 5 – Remuneration – to read, “to be paid at monthly intervals, one month in arrears”.

It was agreed by all Members that the following amendments to the Clerk's Job Description be authorised:-

Item 4 – Preparation of agenda for Council meetings etc. should be done in consultation with the Chair.

Item 9 – Not required as there are no other employees.

Item 13 – This is covered in Item 4.

Item 16 – The Council's budget is prepared by the Council. The Clerk would assist in the preparation by providing necessary expenditure figures.

Inland Revenue – Taxation on Earnings

The Chair had contacted the Inland Revenue and he confirmed that the Clerk's taxation arrangements were in order.

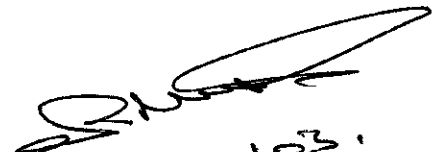
Clarifications of duties and responsibilities to the Council and its Members.

The Chair stated that the Clerk should be aware of his duties towards all Members of the Council. The Clerk replied that he was quite clear regarding his duties.

Cllrs.Ashcroft and Mrs.Goodier reported various allegations and complaints against the Clerk. The Clerk stated that he was not prepared to answer any of these remarks at this meeting. Any complaints should be put in writing to the Chair in accordance with the Clerk's Contract of Employment.

Cllr.Mrs.Tompkins stated that the Clerk had been appointed by a sub-committee set up for that purpose, and also recommended by the previous Clerk. There had not been a full meeting since his appointment, and she felt that he had been continually harassed by certain Members.

The meeting closed at 10.15pm


23/6/03.

HESKETH-WITH-BECCONSALL PARISH COUNCIL

Minutes of meeting held on Monday 23 June 2003 in the Village Hall, Hesketh Bank, commencing at 7.30pm.

PRESENT:- Cllr.A.Murphy (Chair)
Cllr.P.Sergeant
Cllrs.I.Ashcroft, R.Ball, B.Birkby, J.R.Foster, J.Hunter,
Mrs.N.Goodier, R.Plant, Mrs.L.Standish-Gore, Mrs.H.Tompkins.

There were approx. 15 members of the public present at the meeting.

018/2003 Apologies

There were no apologies for absence.

019/2003 Declarations of Interest

Cllr.Mrs.L.Standish-Gore declared a personal interest in Planning Application No.8/2003/0285.

Cllr.Foster declared a personal interest in Planning Application No. 8/2002/0144.

Cllrs. Murphy, Ashcroft, Plant, and Mrs.Goodier declared a personal interest in Planning Application No.8/2003/0706

020/2003 Minutes of meetings held on 20 May, 16 June 2003

The minutes of the meetings of 20 May were signed by the Chair as a correct record, after taking into account the following amendments:-

AGM – Min.No. 005/2003 – Footpaths, Tree Wardens, and Environmental Issues – delete Cllr.Mrs.Tompkins. This was agreed unanimously.

Parish Council Meeting – 20 May - Min.No. 009/2003

Final paragraph – 1st line – Delete “the Chair” and replace with “Cllr.Plant”.

2nd line – Delete “and distributed”. After Mrs.Goodier add “and taken by Council Members. At the meeting the Clerk had been requested to remain, therefore the minutes taken by the Councillors who had continued the meeting be accepted as a true and correct record”.

6th line – Delete “substituted”. Delete “approved by LAPTC” and add “sent for approval to LAPTC”.

Min.012/2003 – 2nd paragraph – After LAPTC – delete the remainder of the paragraph and substitute with “The Clerk was asked about the letter from LAPTC. In reply he said it was an oversight and did not have the letter with him. The meeting was adjourned at 9.40pm to allow Cllr.Ashcroft to return home for a copy of the letter. The meeting was reconvened at 9.55pm”.

3rd paragraph – 4th line – delete “was”, replace with “could be”.

3rd paragraph – Delete last sentence as Cllr.Mrs.Goodier stated that these remarks were made during the adjournment and were not, therefore, part of the meeting.

These amendments were agreed by 6 votes (Cllrs. Murphy, Sergeant, Plant, Hunter, Ashcroft, and Mrs. Goodier) to 4 (Cllrs. Ball, Foster, Mrs. Standish-Gore, Mrs. Tompkins), with 1 abstention (Cllr. Birkby).

Cllr. Mrs. Tompkins asked that the Chair submit a report on the findings emanating from his possession of cheque books etc.

The minutes of the meeting of 16 June were signed by the Chair as a correct record after taking into account the following amendments:-

Min. No. 016/2003 – At end of 1st paragraph add “but contrary to Standing Order 46” p.9 PWLB – Application for Government Loan – 2nd paragraph – 5th line – delete “complained” replace with “stated”.

Min. No. 017/2003 – Clerk to the Council – 1st paragraph – 2nd line – Delete “before” and add “prior to”.

Final paragraph – Add “The previous Clerk’s taxation arrangements were also in order”.

These amendments were agreed by 7 votes (Cllrs. Murphy, Foster, Sergeant, Hunter, Mrs. Goodier, Ashcroft, Birkby) to 3 (Cllrs. Ball, Mrs. Tompkins, Mrs. Standish-Gore).

021/2003 Matters arising from minutes

The Clerk reported that he had obtained a copy of the Traffic and Transport Analysis report from Tarleton Parish Council. Copies of the relevant sections to be made available to Members.

022/2003 Finance

Internal Auditor’s report

The provisional findings of the internal auditor and the Council’s responses are as follows:-

Item 1. The spreadsheet for the accounts was not up-to-date as late as October, when missing statements were requested from the Bank. There was no evidence of regular reconciliation. It was noted that the previous Clerk had since resigned, and the new Clerk was now operating a Ledger Book for all payments and receipts.

Item 2. There had been competitive purchasing although no evidence of proper tender opening procedures, thereby creating the opportunity for improper actions. VAT had not been reclaimed, possibly since 1998/99. It was agreed to review Standing Orders and provide a set of Financial Regulations. There had previously not been any Financial Regulations.

Item 3. There was no risk assessment available, no documented internal financial controls, and an unusual Minute regarding the Clerk’s gratuity. It was noted that risk assessment on the Children’s Play Areas was carried out by Yates Playgrounds, and by Hesketh Bank AFC on the Centenary Sports Ground. It was reported by the Chair that the Clerk’s gratuity was in order.

Item 7. The Council had not operated a proper employer PAYE system and was in breach of the requirements of the Inland Revenue. It was reported by the Chair that the Inland Revenue arrangements were in fact correct.

Item 9. A sum of £5,000 transferred to the current account in October 2001. It was agreed that this was a proper transaction.

Item 11. The address in Land Registry documents is the address of the Clerk to the Council. This was agreed as correct.

Item 12. It had previously been agreed that the Clerk to register with the Bank for payment of interest gross. This had so far not been done. It was agreed that this be done as soon as possible.

It was agreed that the Clerk should write to Mr.Rimmer for an explanation of the VAT, and also ask for the whereabouts of accounts and minutes for the years prior to 2001/02.

Cllr.Ball stated that this report should serve as a lesson to all Members.

Annual Tenders

The Clerk reported that there were no annual tendering procedures in place for this financial year.

Brian Parkinson had submitted a quotation for grass cutting at £200 per visit for 4 visits. It was proposed by Cllr.Ashcroft, and seconded by Cllr.Mrs.Goodier that this quotation be accepted, but for 3 visits only to the end of this financial year. This was agreed by 7 votes (Cllr.Ashcroft, Mrs.Goodier, Murphy, Foster, Sergeant, Hunter, Birkby) to 2 (Cllrs. Plant and Ball) with 2 abstentions (Cllrs.Mrs.Tompkins, Mrs.Standish-Gore).

It was agreed that the tenders for bus shelter cleaning and playground inspections should be advertised. Those interested in tendering should write to the Council in the first instance.

Standing Orders/Financial Regulations

It was agreed that the new version of Standing Orders/Financial Regulations published by NALC in 2002 be ordered from LAPTC at a cost of £6.

Accounts for payment

There were no further accounts for payment.

£36 had been received from S.Trippier for allotment rental.



023/2003 REAL Project – Update

Cllr.Mrs.Tompkins gave a summary of the Hesketh Bank Community Audit, which highlighted the issues as Traffic and Road Safety, Local Sports and facilities, Facilities for young people, Crime and safety. Also mentioned were Health and health services, Housing & Development, Village Environment, Local Schooling and Public Transport. The problems of the elderly were added to this list. This was only the start, and action groups needed to be formed. Group leaders were required, and Cllr.Tompkins asked for volunteers from those present. There was a lack of response from those present.

The Chair read out a personal letter from CVS asking for our thoughts on how we could move this process forward. The Chair to reply to this letter.

Concern was expressed by several of the public present why £50,000 earmarked for local sports facilities was likely to be returned to the PWLB, and why the Council had seemingly reversed its original decision.

A vote of thanks was given to Cllr.Tompkins for all her hard work.

The meeting was adjourned at 9pm for public participation.

024/2003 Public participation

The Chair proposed that local residents be heard before John Hodson (Tarleton). Issues raised were lack of facilities for young people, and fear of the elderly, who should be afforded the dignity they deserved. It was felt that the contribution made to the Tarleton High School project should be honoured.

J.Hodson reiterated the benefits of the partnership working with Tarleton High School, saying it would be a disaster for the residents of Hesketh Bank if the money was withdrawn. Financially they would be participating in a £1.3M project, with no annual maintenance costs.

It was felt that local residents should be consulted, but it was pointed out that this consultation had already taken place in the Community Audit, which highlighted the lack of facilities for the young people.

One female member of the public had intimated that she wished to speak throughout public participation. On a vote taken to allow her to speak, there were 5 for, and 5 against. On the Chair's casting vote public participation was brought to a close.

The meeting was reconvened at 9.30pm.



025/2003 Correspondence

The Council considered the following items of correspondence, which required a decision:-

A letter from 'a disgusted resident' regarding the conduct of Members and the condition of the footpath in Shore Road. As this was an anonymous letter the contents were ignored.

A letter from CLAREN (Cumbria and Lancashire Community Renewables) regarding the Extent of the Gas Network in Lancashire. It was agreed that the questionnaire be completed with advice from the Chair.

A letter from WLDC regarding the Parish Liaison Committee and an informal discussion meeting, which Cllr. Ashcroft had already attended on behalf of the Parish Council. He reported on a proposed closer working relationship between the District and Parish Councils.

A letter from the Army Cadet Force Trust Fund regarding their Appeal. This item was deferred until later in the year.

A letter from the Boundary Committee regarding the draft recommendations of the periodic electoral review of LCC. This consultation may be put on hold in the event that the region is selected to have a referendum on Regional Assemblies. This item was noted.

A letter from WLDC regarding the Parish Allowances Scheme under the new regulations. Further information would be required before making any response.

A letter from HLB AV Audit regarding the overdue audit for year ending 31 March 2002. This item was dealt with under Min. No.022/2003.

An important notice from LAPTC making Members aware that all enquiries should be made through the office during office hours. LAPTC are not insured should any incorrect advice be given outside these hours.

A letter from Community Futures regarding The Village Retail Services Association. It was agreed that the questionnaire be sent to all local retailers.

A letter from DALY International regarding the proposed Vodafone Base Station at Henry Alty, Station Road. No comments.

A letter from WLDC regarding their self-assessment. When the questionnaire is completed, mention should be made under Item 4 (services to be improved) of the Street Cleansing Service. It was noted that the 'blue bag' scheme and the 'green bins', funded by DEFRA, had improved the service.

A letter from Community Futures regarding the Parish Plan Grant. This item had been dealt with under Min.No.023/2003



The Council noted the following items of correspondence, which had been received for information:-

Various agenda and Members' updates from WLDC.

Letters from the Lancashire and Merseyside County Training Partnership, and DEFRA, mentioning the "Good Councillor's Guide".

A letter from West Lancashire CHC – An invitation to the Celebration of the Work of West Lancashire CHC 1974-2003, 7 July at Skelmersdale CC.

A letter from LCC regarding the School Governance Regulations, Reconstitution of Governing Bodies, and including a Code of Practice on LEA School Governor Appointments.

LAPTC – Newsletter.

Lancashire Partnership for Road Safety – Poster campaign.

A letter from the Post Office regarding the Carry on Collecting Initiative.

Notification of the West Lancs.Environmental Network AGM 19 August.

026/2003 Financial Assistance for Organisations

The Clerk submitted a list of those organisations, which had applied for financial assistance. They were Douglas Cardiac Trust, North West Air Ambulance, Mere Brow Youth Club, Kidzone, Victim Support, Childline North West, and CPRE. It was agreed by 8 votes to nil, with 2 abstentions, to make a donation of £100 to the Douglas Cardiac Trust.

027/2003 Allocation of Golden Jubilee medals

This item was deferred to enable Members to bring suggestions to the next meeting.

028/2003 Lancashire Best Kept Village Competition

It was reported that the Parish Council had entered this Competition, and judging was currently taking place.

029/2003 Parish Council Website

The Chair reported on the possibility of setting up a new Parish Council website. To be discussed at a future meeting. This website to contain details of agenda and planning applications.



030/2003 CSG – Proposed Plaque etc

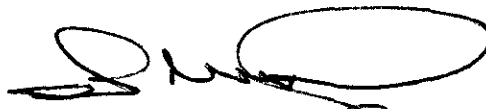
Cllr.Mrs.Tompkins reported on a meeting with Mrs.Dawson regarding a suitable plaque. Her thoughts had been appreciated.

031/2003 CSG – Meeting with Hesketh Bank AFC

The Chair reported on a Centenary Sports Ground sub-committee meeting with Hesketh Bank AFC. (Minutes to be made available).

032/2003 Date of next meeting.

It was agreed that the next meeting should commence at 7pm on 21 July 2003.



24/7/03.

HESKETH-WITH-BECCONSALL PARISH COUNCIL

Minutes of Special Meeting held on Wednesday 16th July 2003 in the Village Hall, Hesketh Bank.

PRESENT - Councillor A Murphy (Chairman), Councillor P Sergeant (Vice Chairman),
Councillors: B Birkby, J R Foster, J Hunter and Mrs N Goodier.

This was not a public meeting therefore there where no members of the Press or Public present.

Apologies

Apologies were received from Councillor I Ashcroft and Councillor R Plant
The Chairman was informed prior to the meeting by Councillor H Tompkins that she thought the meeting was not legal and that she would not be attending.

The Chairman took advance from Mr L Watson of LAPTC prior to the meeting and was told that the meeting met all required procedures.

The Chairman read out a letter received that day from the Clerk stating that he had not received a reply from the alleged complaints and therefore would not be attending the meeting. He also included advice that the proposed meeting was unlawful.

As per Clerks Contract of Employment a written list of complaints was read out by the Chairman - a discussion took place regarding these complaints and it was proposed by Councillor N Goodier and Seconded by the Chairman that

Members of the Council are dissatisfied with the way the Clerk has performed his duties since being appointed.

A named vote was taken:

FOR Cllrs A Murphy, P Sergeant, J Hunter and Mrs N Goodier

AGAINST Cllr J R Foster

ABSTAINED Cllr B Birkby

Further discussions took place to the Councils next course of action (at this point Cllr J Hunter left the meeting at 8.40pm) it was then proposed by the Chairman and Seconded by Cllr Mrs Goodier that an item should be included on the agenda of the next meeting of the Parish Council to discuss the complaints against the Clerk also that a copy of these complaints should be forwarded to the Clerk prior to this meeting.

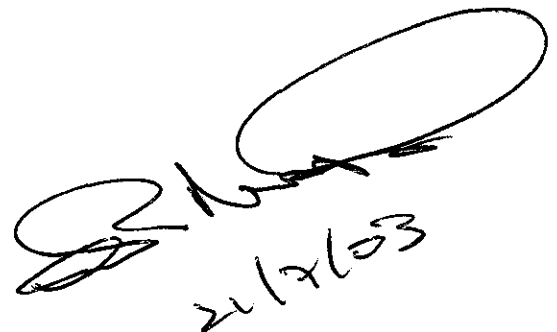
A named vote was taken:

FOR Cllrs A Murphy, P Sergeant, J R Foster and Mrs N Goodier

AGAINST None

ABSTAINED Cllr B Birkby

The Chairman then closed the meeting at 9.00pm.



Handwritten signature and date: 21/7/03

HESKETH-WITH-BECCONSALL PARISH COUNCIL

Minutes of meeting held on Monday 21 July 2003 in the Village Hall, Hesketh Bank, commencing at 7pm.

PRESENT:- Cllr.A.Murphy (Chair)
Cllr.P.Sergeant
Cllrs.I.Ashcroft (arrived 7.30) R.Ball, J.R.Foster (arrived 7.22),
J.Hunter, Mrs.N.Goodier, R.Plant (arrived 7.40), Mrs.L.Standish-Gore, Mrs.H.Tompkins.

There were approx.8 members of the public present at the meeting.

035/2003 Apologies

There were no apologies for absence.

036/2003 Declarations of Interest

Cllr.Mrs.L.Standish-Gore declared a personal interest in Planning Application No.8/2003/0285.

Cllr.Foster declared a personal interest in Planning Application No. 8/2002/0144.

Cllrs. Murphy, Ashcroft, Plant, and Mrs.Goodier declared a personal interest in Planning Application No.8/2003/0706

037/2003 Minutes of meetings held on 23 June, 16 July 2003

The minutes of the meeting of 23 June were agreed and signed by the Chair as a correct record.

The minutes of the meeting of 16 July were agreed by 4 votes (Cllrs.Murphy, Sergeant, Hunter, Mrs.Goodier) to none, the remainder of Members abstaining, and signed by the Chair as a correct record after taking into account the following amendment:-

Under the heading "Apologies", 2nd para – delete "advance", add "advice".

038/2003 Matters arising from minutes

Cllr.Mrs.Tompkins requested a written report from the Chair stating the Council's and his own position in regard to the comments made in public by Cllr.Mrs.Goodier alleging "possible fraud" which by implication was aimed at the former Chair, Vice-Chair, and the Clerk to the Council, Mr.R.Sears. Furthermore she asked if the Chair could give a written report on the reason why he took possession of the Council chequebooks, accounts, and financial records from the Responsible Financial Officer, Mr.R.Sears.

20



The Chair stated that a verbal explanation was sufficient, and he made no apologies for taking possession of the chequebooks, which he had done to safeguard any further illegal expenditure.

Following a debate on this issue it was agreed not to pursue the proposal of having the cheques returned from the Bank. It was agreed, however, that the Police should be called in to investigate the Council's accounts, possibly going back over the last few years.

The Clerk reported that he had sent a draft advert to the Chair for approval regarding cleaning of bus shelters, and inspection/repairs to children's play area equipment. The Chair stated that it was not usual practice to advertise in the press and it was agreed that WLDC be approached for their select list of contractors. Local contractors could then be added to the list.

The Clerk reported that he had written to the previous Clerk regarding the outstanding VAT, but had not received a response. The Chair also had not been able to contact him, but said he would continue trying to contact him.

039/2003 Meeting with Hesketh Bank AFC

The Chair reported on a CSG sub-committee meeting with Hesketh Bank AFC (Minutes to be made available) with the following recommendations:-

- a) Continue the concrete fence (2m) behind hawthorns;
- b) Provide temporary safety measures, i.e. sports netting;
- c) Provide trees behind goals to a proposed height.

Cllr.Ball voiced his concerns that these proposals would again lead to drug-related activities. He stated that the Clerk had been shown by a neighbour of the Sports Ground where these activities were taking place. These comments were dismissed by Cllr.Hunter as 'hearsay'.

It was agreed by 5 votes (Cllrs.Murphy, Hunter, Ashcroft, Plant, Mrs.Goodier) to 2 (Cllrs.Ball, Foster) with the remaining Members abstaining, that these recommendations are accepted and tenders be obtained for the work. The Clerk reported that he had already written to three companies for quotes for the netting.

040/2003 Allotments

Cllr.Foster reported that the ditches and drains around the allotments needed clearing. This work to be carried out in February after obtaining 3 quotes. It was also reported that the hedge on the W.side was overhanging and P.Bannister to be informed.

041/2003 Alty's Boatyard – Danger to Wildlife

Cllr.Ball reported the existence of razor wire on top of the bank, which was a danger to wildlife, and also to children. It was agreed to write to Alty's stating that this was unacceptable, and should be removed immediately.

042/2003 Attendance of County Advisor at a previous meeting

Cllr. Ball raised the issue of Mr. Watson attending a Parish Council meeting as an advisor without any resolution being passed by the Council. The Chair stated that he had been present as his guest, and had attended the meeting with the approval of LAPTC.

043/2003 Planning Matters

The following planning applications had been received since the meeting in March when planning issues were last discussed. As the response dates had passed and many of these applications had now been determined it was agreed that the Council would make no comments.

- 8/2003/0158 – Siting of portacabin at rear for use as offices at 7/9 Station Road (renewal of planning permission).
 - 8/2003/0221 – Outline – Erection of 6 detached dwellings (including details of siting and means of access) on land at 92 Station Road.
 - 8/2003/0303 – Retention of 3 portacabins for religious/education purposes (renewal of planning permission 8/98/0128) at Hesketh Bank Christian Fellowship, Moss Lane.
 - 8/2003/0285 – Two storey and first floor side extension at 6 Foxglove Close.
 - 8/2003/0288 – Conservatory to rear of Bedouin, Boundary Meanygate.
 - 8/2003/0387 – Reserved matters – Erection of 3 detached houses with garages (included amended siting – land adjacent 197 and rear of 209-215 Chapel Road.
 - 8/2003/0397 – Extensions and alterations including elongation of main building and raising/alteration to main roof (amendment to planning permission 8/2003/0031)- Mill Farm, Mill Lane.
 - 8/2003/0411 – Erection of detached dwelling house – Land adjacent 217 Chapel Road.
 - 8/2003/0632 - Extension to existing agricultural storage building – 467 Moss Lane.
 - 8/2003/0634 – Reserved matters – detached dwelling - Land adj. to 11b Shore Road.
 - 8/2003/0657 – Modification of Condition No.5 imposed in planning permission 8/2002/0251 to allow produce from other than the holding to be stored and processed during November to June inclusive – 467 Moss Lane.
 - 8/2003/0706 – Single storey classroom extension at rear, All Saints CE primary School, Shore Road.
- (All above to be determined by Exec. Manager for Planning & Development Services).

- 8/2003/0599 – Removal of agricultural workers occupancy condition imposed on planning permission 8/6/12154 – Avondale, 332 Moss Lane.
 - 8/2003/0631 – Use of land for the siting of 8 mobile units for seasonal agricultural workers – 467 Moss Lane.
- (All above to be referred to the Planning Committee for consideration).

The following planning applications had been amended since the last meeting. There were no comments by the Parish Council.

- 8/2002/1203 – Two-storey side extension & single storey rear extension at 78 Chapel Road.



8/2002/0144 Erection of 13 detached houses with 6 detached garages, provision of new access road and landscaping scheme – Land at Moss Lane.

8/2001/0256 – Outline – Provision of an all-weather sports surface including changing facilities, members club house, community recreation hall and associated car parking in conjunction with existing football club and alterations to existing access (including details of siting, design, external appearance and means of access at 140 Station Road.

The following planning applications had been determined since the last meeting (taken from members Update WLDC):-

8/2002/1168 – Erection of replacement dwelling, The Bungalow, Boundary Meanygate (GRANTED)

8/2003/0020 – Two storey rear extension, 63 Chapel Road (GRANTED)

8/2003/0021 – First floor rear extension, 64 Chapel Road (GRANTED)

8/2002/1410 – Substitution of house type, Plot No.49, land adjacent 109 Station Road (GRANTED)

8/2003/0019 – two storey side extension, 8 Greenfields (GRANTED)

8/2003/0031- Extensions and alterations including elongation of main building and raising/alteration to main roof, Mill Farm, Mill Lane (GRANTED)

8/2002/1397 – Part single/part two storey extension at rear, 42 Shore Road, (GRANTED)

8/2003/0077 – Change of use from police office/residential to residential only, 57 Station Road (GRANTED)

8/2003/0221 – Outline – erection of 6 detached dwellings (including details of siting and means of access), Land at 92 Station Road (REFUSED)

8/2003/0288 – Conservatory to rear, Bedouin, Boundary Meanygate (GRANTED)

8/2003/0397 – Extensions and alterations including elongation of main building and raising/alteration to main roof (amendment to planning permission 8/2003/0031) (GRANTED)

8/2003/0387 – Reserved matters – erection of 3 detached houses with garages (including amended siting, Land adjacent 197 and rear of 209-215 Chapel Road (RESERVED MATTERS APPROVED)

8/2003/0564 – First floor rear extension (amendment to planning permission 8/2003/0021), 64 Chapel Road (GRANTED)

Alleged breach of planning control:-

Use of land as caravan site – 416 Moss Lane

044/2003 Highways Matters

Members were concerned about speeding along Shore Road, often by local residents. It was agreed to write to Ian Bell (LCC – Partnership for Road Safety) to enquire about possible speed cameras on Shore Road, and also to invite Ian Bell to a future meeting.

It was reported that some of the Council's bus shelters were in need of repair. It was agreed to send an order to Autocross to repair bus shelters at the following locations:-

- a) All Saint's Church
- b) Rankin Avenue
- c) Chapel Road/Shore Road
- d) Methodist Chapel

045/2003 Recreation Ground and Play Areas

Zurich – Playground Inspection Summary

The comments received on the Schedule Inspection Summary dated 6 March 2003 were noted, and read in conjunction with the Inspection Reports from Yates Playgrounds.

Yates – Quotations

The inspection reports on the three play areas for the last six months were noted and it was agreed to accept the quotation for repairs to equipment at Shore Road and Station Road in the sums of £47 and £12 respectively.

It was proposed that Public Participation be brought forward to enable members of the public to speak before Part II. This proposal was defeated by 6 votes (Cllr. Murphy, Sergeant, Hunter, Ashcroft, Plant, and Mrs. Goodier) to 4 (Cllrs. Ball, Foster, Mrs Tompkins, Mrs Standish-Gore).

The following item was taken under Part II (press and public excluded)

046/2003

Payment of Account – P. Crabtree

The Chair reported on a letter received from NALC (16 June) via LAPTC, which was in response to a letter he had sent to LAPTC (31 May). It stated that the Council are bound to pay the Contractor. The Council's remedy is to seek recompense from the Chairman. This would be the difference between the actual cost and the best of three quotations. It was agreed to seek further advice from LAPTC, as it was not possible to obtain quotes for a job that did not exist.



Regarding the payment of the account between meetings the Clerk referred to Standing Order 35(b), which in his opinion gave the necessary authority. It was agreed to ignore this advice by 6 votes (Cllrs.Murphy, Sergeant, Hunter, Plant, Ashcroft, Mrs.Goodier) to none, with the remaining Members abstaining.

The Chair stated that the payment was contrary to Standing Order 46, which the Clerk stated had nothing to do with payment of accounts. Standing Order referred to pecuniary interests.

Complaints received regarding the Clerk, and Clerk's conduct.

Cllr.Mrs.Tompkins requested a written report from the Chair stating the Council's and his own position in regard to the events and reasons behind the current move to discredit the Clerk to the Council, Mr.Rod Sears.

The Clerk referred to the meeting called for the 16 July to discuss complaints received regarding the duties and actions of the Clerk since being appointed. He had written to the Chair asking for a detailed list of these alleged complaints. As the Chair had not responded by the date of the meeting he informed the Chair that he would not be attending the meeting.

The Chair read out a further letter from the Clerk, which said he had taken independent legal advice and had been notified that the Council had failed to comply with the Employment Rights Act, and the Employment Relations Act 1999 (Section 10) by not affording him reasonable notice to reply to these allegations (Alleged complaints are listed at Appendix 1 to these Minutes). He was unable to respond to these allegations, as he was only informed about them on the Thursday prior to this meeting. He again asked for more information on specific items, which had been highlighted, on the list of alleged complaints. This request was refused.

Cllr.Mrs.Goodier, who stated that the Minutes produced by the Clerk were biased and not written properly, proposed that the Clerk be dismissed with one month's notice. This proposal was seconded by the Chair, Cllr.Murphy, and agreed by 6 votes (Cllrs.Murphy, Sergeant, Ashcroft, Hunter, Plant, Mrs.Goodier) to 4 (Cllrs.Ball, Foster, Mrs.Standish-Gore, Mrs.Tompkins).

047/2003 Finance

Annual Tenders

This item was covered under "Matters Arising", Min.No.038/2003.

Accounts for payment

The following accounts were approved for payment:-

			£
520	R.P.Sears	Clerk's salary (June)	219.83
521	Inland Revenue	Tax deducted	62.00
522	North Meols Parish Council	Photocopying services	30.39
523	Ken Linford Gardencare	Tree maintenance	19.27

524	Yates Playgrounds	Inspections	77.55
525	B.Parkinson	Grass cutting -	£200.00
		New manhole cover	£ 40.00
526	Public Works Loan A/c	Loan repayments	1628.20

The Clerk reported that after receiving information from the Bowling Club via Cllr.Ball that a manhole cover had been broken by someone driving over it with a tractor he had contacted the Chair for approval to carry out remedial work. Brian Parkinson had supplied a new manhole cover but was unable to unblock the sewers.

An account from Zurich Municipal for £474.61 was held in abeyance until more information was obtained regarding what the Council was actually paying for.

It was agreed that an account for £146.87 from Rawsthorns Solicitors be not paid. The Chair stated that no-one gave the previous Chair authorisation to attend Rawsthorns. No-one was aware of the meeting until the invoice was produced. Cllr.Ball did not have the permission of the Council to attend and the meeting was nothing to do with the Council. Cllr.Ball stated that the new Clerk had to be brought up-to-date with leases, especially the Football Club lease which was not held on file. An ~~official~~ order had been sent from the Parish Council to Rawsthorns to cover this work.

Receipts

The Clerk reported that there had been no items of income received since the last meeting. There were outstanding items from Cllr.Ball, and Hesketh Bank AFC. The rental from Hesketh Bank AFC was several months overdue. It was agreed that the Clerk write to their Secretary, allowing them a further 30 days to settle the account. Cllr.Ball stated that he would not be paying to represent the Parish Council at a Civic Dinner.

Other matters raised during the meeting.

During the meeting a letter was received from Cllr.Brian Birkby tendering his resignation from the Council. He stated that due to the 'goings-on' during the last six months and the way that rules had been ignored he could no longer carry on as a Parish Councillor. It was agreed that the Clerk should write to Brian Birkby thanking him for his services to the Council and the local community over the years. It was agreed to advertise the vacancy in the first instance on the Parish notice-boards.

Cllr.Mrs.Goodier wished it to be known that she sat at the top end of the table to get away from sitting opposite Cllr.Ball and having to endure his bad language.

The Chair asked Cllr.Ball to leave the meeting on several occasions.

~~Cllr.Ball stated that the Chair should not be uttering blasphemous remarks during the meeting and voiced his concerns regarding derogatory remarks made by Cllr.Mrs.Goodier to the Clerk.~~

The meeting closed at 10pm with remaining business adjourned to the next meeting.

HESKETH WITH BECCONSALL PARISH COUNCIL

Councillors Tony Murphy, Paul Sergeant, Iain Ashcroft, Norma Goodier, John Hunter and Richard Plant are dissatisfied with the Clerk, Rod Sears, in the way he has carried out his duties for Hesketh with Becconsall Parish Council for the following reasons:

- On 10 March 2003 John Hunter proposed a vote of no confidence in the chair RB, who would not accept this – Clerk advised it would be on the next meeting's agenda.
- The above was not on Agenda 31 March. Richard Plant telephoned the Clerk for the reason it had not been put on the agenda; the Clerk informed Richard that it had to be in writing. Richard wrote to the Clerk requesting this item to be on the Agenda, Clerk acknowledged Richard's letter confirming.
- When the Chair RB closed the meeting (31/3/03) – Clerk did not advise council to continue. When challenged on this he stated 'he had sat there waiting for the councillors to continue'.
- At the meeting 1 May 2003 - Clerk informed the council could not have a vote of No Confidence re circular 2/86 (which is over 10 years out of date)
- The Clerk left the meeting with the RB, after being requested by 5 Councillors to remain.
- Letter dated 2 May sent to Clerk – never replied.
- Clerk kept stating SO working to even though several members point out they were the wrong SO.
- Clerk & Chairman changed dates of meetings without Council's consent.
- Minutes do not reflect true and correct record of meetings.
- Letter dated 9 June 2003, about receiving a communication, never circulated.
- LAPTC letter see Resolution (150/2002) when received did not inform members has never been on any agenda.
- Members, who request copies correspondence, have to remind Clerk 2/3 times for copies. When Councillors have specifically requested items to be minuted this has not happened.
- Writing cheques without prior consent of Council.
- Several members feel that the Clerk is not working for the whole council, councillors feel he has deliberately misled them.



- Resolution 150/2002 – Quotes to be obtained from local contractors etc – this has not been carried out.
- Did not inform Chair (T Murphy) or Council of PWB application.
- Altered contract without prior approval of Council signed by Chairman without Councillors' knowledge – experienced clerk?
- Wrote to LAPTC on Hesketh with Becconsall headed notepaper, did not inform Council.

..... Tony Murphy

..... Paul Sergeant

..... Iain Ashcroft

..... Norma Goodier

..... John Hunter

..... Richard Plant



HESKETH-WITH BECCOSALL PARISH COUNCIL

Minutes of meeting held on Monday 4th August 2003 in the Village Hall, Hesketh Bank, commencing at 7-30 PM

PRESENT Cllr A.Murphy (Chair)
Cllrs RC. Ball, JR Foster, J Hunter, R.Plant, PJA.Sergeant, Mrs.L.Standish-Gore,
Mrs H.Tompkins

There were approximately 14 members of the public at the meeting, no members of the press attended.

048/2003 Apologies

Cllrs I.Ashcroft, Mrs N.Goodier

049/2003 Declarations of Interest

There were no declarations of interest

050/2003 Dismissal of Clerk

The chair requested that this matter be held under part 2 and he explained to the council why he thought this was necessary at the beginning of the meeting. It was agreed after he used his casting vote following a vote of 4 for and 4 against.

The public then left the room.

The clerk stated that he had received numerous phone calls regarding his position, no members of the council could offer an explanation. The clerk informed the Parish Council that he was taking them to ACAS, he then read a letter that he had sent to the tribunal, he alleges unfair dismissal.

Mrs H. Tompkins, Mrs L. Standish-Gore, Cllrs. RC. Ball and R. Foster had circulated a letter dated 25/07/03 to all the members of the council, a copy of which was also sent to LAPTC, which explained that they were disassociating themselves from the process of dismissing the clerk.

The clerk then left the room. It was agreed that Cllr. Hunter would take the minutes.

After further discussion Cllr. Ball left the room.

It was proposed by Cllr. Plant that the Clerk be paid to 21st August, this was seconded by Cllr. Sergeant. This resolution was passed 4 votes for, with 3 abstentions.

