

SAMBOURNE PARISH COUNCIL

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Clerk: Teresa Murphy

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Minutes of the Parish Council Meeting held on 2nd August 2021

Present:

Cllr Chris Clews	Chairman
Cllr Phil Jones	Vice-Chairman
Cllr Peter Taaffe	
Cllr David Shaw	
Cllr Justin Kerridge	Warwickshire County Council
Cllr Neil Eddon	SDC (Studley with Sambourne)
Cllr Peter Hencher-Serafin	SDC (Studley with Mappleborough Green)
Teresa Murphy	Clerk

There were 97 persons present. This included 5 members of the press. 17 persons attending were outside the Parish of Sambourne.

1. **Apologies:** None
2. **Changes to Disclosure of Interest** None
3. **To approve the Minutes of the meeting held on 26th April 2021**

The minutes were formally agreed and signed by the Chairman.

4. Matters Arising from the Minutes

Speeding Action Group: The invitation to invite a member of the Police to a Parish Council meeting will be carried forward.

Carried forward

Bench in Middletown: Permission has been given by Warwickshire County to site the bench in Middletown, subject to investigation of underground BT cables. Caroline Jackson has ordered the bench and stated that everything was in hand.

Possibility of a cycle lane between Sambourne and Alcester on the A435: The chairman has contacted WCC, who requested a survey to be completed. This survey was passed to Wayne Bates for action. It is an open survey for anyone to complete and Wayne has agreed to take this forward.

Update on ATC data: The data from before the gateways were installed is available to view on the website. Further speed surveys will be taken by WCC to measure the impact of the scheme. We are yet to be informed of a date.

Mr Farran questioned the table, and that one site should say Site 6. The chairman agreed to amend the table.

Action: Chairman

Plaque in memory of Cllr Geoff Smith: The chairman confirmed that the plaque had arrived and arrangements would be made to install it. The plaque which was placed on the Green by Les Topham to celebrate the life of Ray Waring has been damaged and also needs replacing.

Action: Chairman

Email from Mr Amos concerning cutting of grass verges in John's Close: The clerk confirmed that she had written to Mr Amos.

Planters on the green at Middletown: The containers have been planted and look very decorative.

5. Code of Conduct Complaint

Before this item commenced the chairman stated that this should be an orderly meeting and that if there is disruption he will close the meeting.

The Chairman commenced by making a statement, giving the background to the Code of Complaint:

Mr Bond intervened, demanding the chairman to make his apology. The clerk had to ask him to refrain from the continual interruption.

- Around March 2020, what was previously a unanimous agreement on the gateway scheme became a split 4:1.
- Schism develops.
- 4 attempts at reconciliation rejected.
- Facebook campaign and misinformed emails regarding the delegated budget.
- Transparency and lawfulness of gateway questioned. WCC were persuaded to halt the scheme.
- SPC presented complete evidence and scheme re-started.
- Historic personal emails - where no one was acting in capacity - some with quite basic and indelicate comments on events both local and national were selectively leaked to people who would be likely to be upset/distressed to discredit SPC and chairman.
- This continued to the present day.
- The investigation was triggered by a number of complaints to the Monitoring Officer at SDC regarding councillors on SPC.
- The investigation was conducted by the MO.

- In response to each of the complaints, the councillors involved in the investigation were invited to submit comments and reactions.
- The MO employed an investigator who interviewed (virtually) both the councillors and the complainants.
- Also involved were two independent advisors appointed by the Monitoring Officer.
- At each milestone: draft report, final report and conclusions, consensus was sought between the MO and the advisors.
- Following the publishing of each draft report, all parties were contacted for their reaction and comments which were embodied to form the final report where appropriate.
- The councillors have been requested to comply with the Private and Confidential clause which was repeated throughout the investigation.
- This covers complainants' identities and the contents of the draft and final reports, including items submitted as evidence.
- The conclusions, with the above provisos, are to be made public.

Statement by Cllr Peter Taaffe

During previous Parish Council Meetings, it has been minuted that a Code of Conduct complaint made against me was sent to the Monitoring Officer in September 2020. An independent investigator was assigned to the complaint.

Following a long and stressful period of 10 months, during which I was subject to an intense virtual investigation, I received a copy of the outcome report from the Monitoring Officer, dated 4th June 2021. The outcome, as determined by the Monitoring Officer was:

Conclusions and Recommendations.

I am satisfied that the investigation has been conducted properly and there is no need for the investigator to reconsider his report; and I concur with the findings, conclusions, and recommendations in his report.

1 – In relation to the Sambourne Village Gateway Scheme, there was nothing Cllr Taaffe did in posting or elsewhere in his general conduct which constituted a breach of Sambourne Parish Council code of conduct.

2 – In revealing the financial contribution made by the Sambourne Trust, Cllr Taaffe breached the code. He was showing that the council had tried to assist a resident in combatting the flooding affecting his house in Middletown. His post was unthinking but there was no malice. The breach of the code appears to us to have been what might be described as low level, technical breach. There was no harm done.

1 - Since there was no breach of the code of conduct in respect of what Cllr Taaffe did in relation to the Sambourne Gateway Scheme – whether in the posting he made or in his actions more generally – no further action be taken.

2 – Whilst Cllr Taaffe breached the code in revealing the financial contribution of Sambourne Trust, to pursue it further would in no way be in the public interest. We therefore recommend that no further action be taken.

The case is now closed.

As the covering letter and report are 'Strictly Private and Confidential' I am unable to discuss any details. However, the Monitoring Officer has given consent to allow me to provide the above quotations from the report.

Cllr Taaffe continued by stating:

There has been continued speculation on social media, from a small number of parishioners and surprisingly from people that live outside the parish, that there is a 'cover-up' by SPC, who are trying to conceal the detail and outcome of the investigation. The report includes comments from other people in the parish, which were given confidentially to the investigating officer, and to release it would be a breach of their privacy. The complainant is in receipt of the letter and report from the MO, in fact the letter is addressed to him, where it clearly states that the contents of the report are Private and Confidential and the content should not be disseminated. As the one complaint against me was not upheld and the second was considered minor, in fact the independent investigator described it as 'petty', I would be happy for this to be released for public scrutiny. However, we are obliged to abide by the instructions of the MO, who has approved my statement.

Any formal complaint about a councillor, if not resolved, is sent to an independent investigator. This costly investigation was triggered by the complaints and is not as a result of SDC deeming the Parish Council needing investigation. I am surprised and disappointed that the resident making the complaint has chosen to ignore that the report is Private and Confidential and is now trying to infer that there is a cover up by the Parish Council.

I am not intending to make any further public statements in relation to this matter.

The Chairman then read his formal apology – as instructed and agreed by the Monitoring Officer

My Apology

Further to an extensive independent investigation, the Monitoring Officer of SDC has found that I have breached the SPC Councillor Code of Conduct by treating others with disrespect in sending a number of offensive e-mails in my capacity as a Parish Councillor. The Monitoring Officer also found that in doing so I have brought my role as Chairman of the Parish Council and the Parish Council itself into disrepute.

I accept these findings and wish to offer a full and unreserved apology for my conduct, and also for any upset I have caused to others.

It was never my intention that these e-mails should have been received by anyone other than the recipient, but I am not proffering this as an excuse for my causing offence. Some of my

emails contained comments and criticisms referring to individuals by name and those individuals would probably have found my words offensive had they received them direct from me.

I will not be issuing any further public statement in relation to this matter.

In addition to the issue for which I apologised earlier, three additional complaints were made against me.

The EGM held on the Green at Sambourne 22nd July 2020

Conclusion of the investigation: I acted within the Parish Council Code of Conduct and committed no breach.

The meeting at the scene of flooding in Middletown Lane 25th August 2020

Conclusion of the investigation: I acted within the Parish Council Code of Conduct and committed no breach.

The Sambourne Gateway Scheme 2020

Conclusion of the investigation: I acted within the Parish Council Code of Conduct and committed no breach.

Procedures followed by Sambourne Parish Council

- A Chairman is selected each May at the Annual Parish Council Meeting.
- This involves a proposer, a seconder and a majority vote by the Parish Council.
- I was selected by this process in May 2021.

I would step down if

- I were requested to do so by Sambourne Parish Council; or
- I decided to do so.
- Neither is the case, so I remain as Chairman until 2022.
- I will suggest to SPC that we revert to the former arrangement whereby the position was rotated annually.

Mr Bond shouted out that he did not accept the apology. The chairman said he would suspend the meeting if there was continual interruption of proceedings. At that point Mr Snape stood up and started reading from the emails contained in the confidential report. The clerk asked Mr Snape to cease but it took several attempts before he sat down.

The clerk informed everybody that questions would be taken in public participation and could not be heard during the present agenda item. Mr White attempted to ask a question, as did Mr Bond, but they were told to refrain. The clerk said she would close the meeting if there was constant interruption.

Cllr Jones and the clerk then made statements in support of the chairman. These statements will be kept with the minutes and may be viewed if requested.

6. Public Participation

The chairman asked the clerk to lead this item.

Peter Tedd (not present) submitted two questions:

'In light of the fact there has been a lengthy and therefore very expensive councillor Code of Conduct investigation into Sambourne Parish Council for the sake of parish residents please can you tell me exactly what has been going on?'

The chairman replied by saying he had outlined the answer to this in his introduction during agenda item 5.

'Furthermore what exactly is your position now as chairman and indeed all other councillors?'

The chairman replied that the position remains unchanged.

Diane Lodge

'Reading the minutes previously in the year it is clear there has been running a lengthy and presumably detailed investigation into our Council. Surely under the transparency code we the residents are entitled to know what has been going on and any outcome?'

The chairman replied that this has already been addressed in the previous item. As councillors we have to respect confidentiality. Everyone has now heard the conclusions of the investigations and there is therefore no lack of transparency.

Mr White and Mr Bond again interrupted proceedings and, despite repeated requests, refused to refrain. This incited other people to cause a disruption and the decision was made to close the meeting at 20:48.

Questions for public participation had also been submitted from:

Diane Lodge (a second question), Frances Ward, Luke Egan, Caroline Jackson, Greg Duddy, Lucy Wharrad, Mr and Mrs Bond, Wayne Bates, Charles Farran and David McMullen.

All questions unrelated to the items already discussed at this meeting will be carried forward to the September meeting.