



# Whiteley Town Council

Minutes of the Full Council meeting of the above Council held in the Council Rooms at Meadowside Leisure Centre, Whiteley on Monday 28<sup>th</sup> July 2014 commencing at 7.15pm.

**Councillors present:** Mike Evans (Chairman), David Jenkins (Vice-Chairman), Vivian Achwal, Colin Bielckus, John Butter, Malcolm Butler, Chris Harper, Tasmin Smith, Pat Thew, Chris Wye.

Six members of the public, Town Clerk Nicki Oliver.

- 1. To receive apologies for absence** Hazel Croft-Phillips, County Councillor Patricia Stallard.
- 2. To receive declarations of interest on agenda items** None.
- 3. To adjourn meeting to allow participation by members of the public.**  
Resident Colin Putnam advised that the broken bollard in Angelica Way had been dealt with. Mr Putnam also raised concerns about the potential increase in traffic if Marjoram Way is opened. The Chairman advised that the opening is one of several proposals to improve safety for local residents, no decision has been made.

Resident Keith Slack asked when Rock Up Whiteley would be opening. The Chairman advised that the plan was to open for the October 2014 half term.

A resident of 84 Saffron Way raised concerns about weeds and the general untidiness of the landscaped areas. The Chairman advised that this was Winchester City Council's responsibility, the Town Council is pressing for improvements to the service provided by WCC's contractors.

Resident Brenda Hatch noted there were grass cuttings everywhere and that WCC's landscape contractor's level of workmanship is poor.

Resident Pam Channon noted there was rubbish in the woodland alongside Rookery Avenue.

Cllr Chris Wye asked Cllr Achwal if there was an update on the enforcement action to tidy the Solent 2 site. Request noted.

**3.1 Report from the Safer Neighbourhood Team and to receive any concerns from residents** No report this month.

**3.2 Report from County Councillor** Report circulated prior to meeting.

Improvements to Junction 9 are being funded and delivered by the Highways Agency [HA] and they are primarily looking to widen the east and westbound off slip roads from two to three lanes. The scheme that was originally put

forward also involved realigning Whiteley Way and providing a non motorised user link down the eastern side of the road, however, there are a number of topographical and land ownership constraints on this, which means that the provision of such a link within the HA's available budget and timescale is not achievable. Delivery dates for work on the Junction are not yet confirmed, but it is hoped to start on site in January 2015.

Following a site meeting Between Cllr Stallard and Cllr Butler to look at safety issues at the top of Lady Bettys Drive a roundabout warning sign will be replaced together with some cutting back of foliage and repainting of road markings.

**3.3 Reports from District Councillors** Report circulated prior to meeting.

**3.4 Chairman's announcements** None.

#### **4. To resume the meeting to consider the following agenda items:**

4.1 To discuss the Town Council's Standards Committee case against Cllr Vivian Achwal and Winchester City Council's letter dated 8<sup>th</sup> July 2014 suggesting that the Town Council:

Considers whether external mediation would be appropriate

Reconsiders whether to appoint Cllr Achwal to committees

The Chairman addressed the Council to provide a summary of the case against Cllr Achwal which relates to the release of confidential information to a member of the public in 2013. This is contrary to the Code of Conduct and Whiteley Town Council Standing Orders. Although this case was brought to the Standards Board against the advice of both the Chairman and Clerk the case was submitted as a result of a due democratic process. In response to the decision by his fellow Councillors the Chairman completed the case application on behalf of the Council. The Chairman noted that he did not believe the complaint against Cllr Achwal would have materialised if she had owned up to this mistake from the outset. Unfortunately, despite repeated requests from her colleagues Cllr Achwal chose to remain silent following the breach of trust and even suggested it was her fellow district councillor until she was confronted with the undeniable evidence.

Her actions angered her fellow Councillors and as a result they declared a vote of "no confidence" in Cllr Achwal and unanimously agreed to remove her from all Council committees in accordance with Whiteley Town Council Standing Orders. Early this year Cllr Achwal was unsuccessful in securing a place on Committees for 2014/15. This did not however bar her from attending meetings as a member of the public.

The Chairman noted that it was equally disappointing that Cllr Achwal then brought a case against the Chairman and Town Clerk the contents of which the Council, Chairman and Clerk completely refute. Such was the nature of the claims made by Cllr Achwal that the Chairman and Clerk considered taking private legal action for defamation of character.

It is recognised and accepted that Cllr Achwal has apologised to her colleagues on more than one occasion for the inappropriate release of information to a member of the public. She has, however given no explanation why she failed to own up from the outset.

In considering these two complaints the Standards Committee decided not to undertake a detailed investigation. The Town Council has strongly refuted the allegations made against the Town Council Chairman and Clerk and stated their disappointment that the matter would not be investigated further.

The cornerstone of how Whiteley Town Council conducts its business is based on trust, honesty, integrity and mutual respect. It is this Council's view that Cllr Achwal has sadly failed to meet these standards.

What has disappointed her colleagues above all is that she does not seem to understand that her actions throughout this matter have caused resentment. She has betrayed their trust and treated them with contempt. It may be that the relationship between Council members and Cllr Achwal is irrevocably damaged but this is not of the Council's making.

Cllr Jenkins advised that a member of the public informed him who had provided the information that the Council considered to be confidential. The issue dragged on because no one owned up which created a lack of trust amongst Councillors, the dishonest behaviour of Cllr Achwal was disappointing.

Cllr Smith noted that there was plenty of time to own up and more than one request from a fellow Councillor that this should happen. The situation caused fellow Councillors to scrutinise each other for dishonesty. A key problem was Cllr Achwal confusing her roles as District and Parish Councillor, swapping roles to provide excuses.

Cllr Harper said that although he was not a member of the Council at the beginning of the difficulties he supported his colleagues throughout. Winchester City Council has failed to provide appropriate guidance and leadership during this case. Cllr Achwal should confirm she has withdrawn her complaint and make an unreserved apology for what has gone before.

Cllr Thew felt that as no one owned up she felt she was being blamed for the breach of trust and felt unnecessarily guilty.

Cllr Wye joined the Council at a later stage and there has been evident animosity which has not gone away over time. If people have more than one role it should be assumed that confidences should be maintained. Cllr Wye recognised the need to move on. Assurances of integrity were requested and that there should be no conflicts of interest, if there are conflicts they should be clearly declared.

Cllr Butter also joined at a later stage and noted he did not join to be engaged in interpersonal disputes. The Town Councillors have a duty to be ultra cautious in what they say. It is obvious Cllr Achwal has breached Standing Orders, the collateral fallout is irrefutable but he would like to see the Council be able to move on. It would be hard to accept Cllr Achwal 'back into the fold'.

Cllr Butler joined at a later stage, there is no doubt there was a breach of Standing Orders and removal from committees in such a case is correct. The case against her colleagues does not help Cllr Achwal's case. There is no evidence of a conspiracy to bully, the actions of the Councillors are supported, mediation is not necessary and will only serve to prolong the issue.

Cllr Achwal denied any wrongdoing and felt meetings and emails with the Chairman and Clerk were bullying, pressurising her to resign. Cllr Achwal advised she had written privately to the Chairman stating that she will withdraw her complaint and to apologise for any embarrassment she has caused to the Council stating she wished to move on.

Several Councillors noted that resignation would be the most appropriate move but it was acknowledged that the Council has no remit to enforce this.

It was also felt by several Councillors that it would be difficult for Cllr Achwal to regain the trust of her fellow members and she would have to work hard to achieve this.

**To consider whether external mediation is appropriate – not carried (Cllr Achwal voted for, all except Chairman voted against)**

**Proposal to appoint Cllr Achwal to committees – not carried (all except Cllr Achwal and Chairman voted against)**

**Proposal to accept Cllr Achwal's apology and withdrawal of complaint and to review her membership of committees in three months. Agreed (all except Chairman and Cllr Smith voted for)**

Cllr Smith gave her apologies and left the meeting.

4.2 To approve and sign the minutes of the Full Council meeting held 2<sup>nd</sup> June 2014 **Minutes approved and signed.**

4.3 To receive a report and recommendations from the Strategic Development and Policy Committee (Chairman)

4.3.1 To receive minutes of meeting held 18<sup>th</sup> June 2014 **Minutes received.**

4.3.2 Proposal to adopt an Emergency Plan **Proposal to adopt as a living document with some amendments.**

4.3.3 Proposal to adopt revised Standing Orders **Resolved.**

4.3.4 To receive minutes of meeting held 16<sup>th</sup> July 2014 **Minutes received.**

4.4 To receive a report and recommendations from the Recreation and GP Committee. (Cllr Thew)

4.4.1 To receive minutes of meeting held 18<sup>th</sup> June 2014 **Minutes received.**

4.4.2 To receive minutes of meeting held 16<sup>th</sup> July 2014 **Minutes received.**

4.4.3 Proposal to renew the OCS contract for a further two years from October 2014 subject to some minor amendments to wording and the condition that the Council can use independent contractors for 'daywork' additional works if OCS are unable to deliver within a reasonable timescale **Resolved.**

4.5 To receive a report and recommendations from the Planning Committee (Cllr Jenkins)

4.5.1 To receive minutes of meeting held 18<sup>th</sup> June 2014 **Minutes received.**

4.5.2 To receive minutes of meeting held 16<sup>th</sup> July 2014 **Minutes received.**

4.6 To receive a report and recommendations from the Highways and Transport Committee (Cllr Butler)

4.6.1 To receive minutes of meeting held 18<sup>th</sup> June 2014 **Minutes received.**

4.6.2 To receive minutes of meeting held 16<sup>th</sup> July 2014 **Minutes received.**

4.7 To receive a report and recommendations from the Finance Committee (Cllr Bielckus) **Next meeting in September.**

4.8 Report from The Whiteley Voice Editor (Clerk) **The summer edition was delivered prior to the Meadowside Music Festival and contained the Council's annual report.**

4.9 Report on the Parish Council website and social networking site (Clerk) **There are currently 1620 members of the Voice4Whiteley Facebook group and numbers are continuing to grow.**

4.10 Reports from Councillors/Clerk on recent meetings attended

2<sup>nd</sup>/ 9<sup>th</sup> 16<sup>th</sup> 23<sup>rd</sup> June, 7<sup>th</sup> 14<sup>th</sup> 21<sup>st</sup> July Cinema update (Chairman/Clerk)

6<sup>th</sup> June WCC / HARAHA exception site housing tour

10<sup>th</sup> June Shopping Centre Travel Steering Group (Cllr Butler/Clerk)

13<sup>th</sup> June/ 4<sup>th</sup> July Meadowside Music Festival planning meeting

25<sup>th</sup> June HALC Finance training (Cllr Butler, Cllr Wye)

1<sup>st</sup> July HCC/Cllr Woodward Marjoram/Leafy Lane briefing (Cllr Evans, Cllr Harper, Cllr Butler, Cllr Wye)

3<sup>rd</sup> July North Whiteley Forum

12<sup>th</sup> July Meadowside Music Festival

15<sup>th</sup> July Meeting with Terrence O'Rourke (Cllr Evans, Clerk)

16<sup>th</sup> July Fireworks planning meeting (Cllr Bielckus, Cllr Jenkins, Clerk)

4.11 Reports and evaluation of training and development sessions attended by Councillors/Clerk **Cllr Butler and Cllr Wye attended a HALC Finance training session and reported that it was very useful.**

**5. Recent correspondence** List circulated prior to meeting.

## 6. To note current bank balances

<b>Bank balances 28<sup>th</sup> July 2014</b>	
Treasurers ac	£1,423
Instant access ac	£338,486
<b>Total</b>	<b>£339,909</b>
Of this balance £167,916 is the Whiteley Fund	

## 7. Accounts for payment

It was resolved to pay the following accounts:

No	chq/BACS	Recipient	Amount	Notes *reimburse Clerk
1	BACS	Steve Knight	£400.00	Deliver Whiteley Voice
2	BACS	Steve Knight	£400.00	Deliver Cinema leaflet ed 2
3	BACS	Richard Frampton	£100.00 £940.00 £275.00 <u>£275.00</u> £1,590.00	Remove old and fit new crawl net Repair and restrain 5 benches Reframe Meadowside map board Reframe Kingswood Close map board
4	BACS	Footprint	£456.00 £19.20 £60.00 £311.80 <u>£1,750.00</u> £2,597.00	Festival banners Festival posters North Whiteley board Cinema leaflets Whiteley Voice
5	BACS	Aqua Cleaning	£144.00	Bus shelter cleaning
6	BACS	WCC	£504.00	Council rooms June
7	BACS	Russell Bennett	£325.00	Festival acts
8	BACS	Remedy Sounds	£200.00	Festival act
9	BACS	Henry Cort College	£220.00	£100 for Parish Assembly £120 for Festival
10	BACS	Reheated	£120.00	Festival act
11	BACS	Cordicella	£105.00	Festival act

No	chq/BACS	Recipient	Amount	Notes *reimburse Clerk
12	BACS	First Aid Academy	£160.00	Festival cost
13	BACS	Get Wheelie Bins	£384.00	Bins for events
14	BACS	Communications Southern	£84.00	Radios for Festival
15	BACS	PRS for Music	£118.90	Festival music licence
16	BACS	Whiteley Systems	£648.00	Sound for Festival
17	BACS	JAM Stage Hire	£800.00	Stage for Festival
18	BACS	Phil Space	£414.00	WCs for Festival
19	BACS	Kompan	£1,117.00	Crawl net for Meadowside play area
20	BACS	WCC	£504.00	Council rooms July
21	BACS	WCC	£260.00	Empty dog bins
22		OCS  £2,964.71 <u>£2,481.73</u>	   £5,446.44	March / April as contract April / May as contract
23	BACS	Gravity Engineering	£3,360.00	Skatepark refurbishment
24	BACS	Hedleys	£500.00	Final legal fees for adoption of Meadowside footpaths
25	BACS	HCC	£183.62	Two replacement maps for mapboards
26	BACS	HALC	£72.00	Finance training sessions
27	BACS	Rainbow Centre	£500.00	Agreed grant
28	BACS	Whiteley Primary Sch	£100.00	Parish Assembly grant
29	BACS	Dan Powell	£160.00	Town Council logo and crest designs
30	BACS	Richard Frampton	£275.00	Re-stain Mollison Rise swings
31	BACS	Malcolm Butler	£33.20	Travelling expenses
32	BACS	Nicki Oliver	£871.07	*Clerk's salary July
33	BACS	Home as office	£26.50	*Clerk's expenses July
34	BACS	Telephone and internet	£41.67	*Clerk's expenses July
35	BACS	Travelling/expenses	£184.37	*Clerk's travelling/expenses 3.6 - 28.7.14
36	BACS	HCC	£317.63	Employer/employees pension November
		<b>Total</b>	<b>£23,166.40</b>	

Note £3,850 sponsorship for Festival received.

Meeting closed 9.32pm

Signed.....

Date .....