

Although these minutes reflect the words spoken, the Council records (without prejudice to its own position) that in response to a challenge by Mr Robinson to the decision of the Deputy Monitoring Officer for Buckinghamshire Council, the High Court (Administrative Division) held on 20 July 2021 it was an infringement of Mr Robinson's right to freedom of speech to refer him to the Monitoring Officer complaints procedure and to find him guilty of a breach of the Farnham Royal Parish Council's Code of Conduct. The court also concluded that the Deputy Monitoring Officer had treated Councillor Clapp more favourably than Mr Robinson. A full copy of the court's reasoning is available at: www.bailii.org/ew/cases/EWHC/Admin/2021/2014.html"

FARNHAM ROYAL PARISH COUNCIL

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MINUTES OF A MEETING OF FARNHAM ROYAL PARISH COUNCIL HELD ON MONDAY 25th JUNE 2018 AT 7.30 P.M. IN FARNHAM ROYAL VILLAGE HALL

Present

Mr. Trevor Clapp (Chairman) Mr. Bob Milne
Mrs. Judy Tipping Mr. Richard Thomas
Mr. Paul Rowley Mr. Clive Robinson
Mr. Roger Home Mrs. Vicky Thompson
Mrs. Hilda Holder – Clerk

Nine members of the public including County Councillor Lin Hazell and District Councillors Dev Dhillon and David Anthony.

The Chairman declared the meeting open at 7.30pm. The meeting was adjourned for OPEN FORUM noted at the end of these minutes. The Chairman reconvened the meeting.

18/74/PC Apologies for absence

Mr. John Hodges, Mrs. Marilyn Rolfe, Mr. Bill Baker, and District Councillor Marlene Lewis.

18/75/PC To confirm the minutes of the meetings held on 21st May and 12th June 2018

The extraordinary meeting and annual meeting held on 21st May and the extraordinary meeting held on 12th June were approved and the minutes signed by the Chairman. Mr. Milne wished it to be noted that he did not recall agreeing to pursue the matter itemised at 18/65.1/PC.

18/76/PC Matters Arising (not covered on the agenda and for information only)

The Chairman noted that the Council had been issued with a certificate from the Inner Wheel club in relation to its toilet twinning efforts.

18/77/PC To recommend the Christmas lights proposal for approval

77.1 Mr. Rowley reported that he had spoken with the suppliers about the initiative to keep and extend Christmas lighting in the villages. He said the Council had bought the current lights in 2015 for £14,000 and spent approximately £4,000 per annum for the installation removal storage and repair of them ('ongoing costs'). They could be expected to last about 7 years so it could be said they had cost about £6,000 per annum and would need replacing in 2022.

77.2 He said quotes had been obtained to put in more lights in Farnham Royal and along the light columns between the villages over a three year programme. If the Council wanted to buy the lights then the costs would be: Year 1 £16,600; Year 2 £16,200; Year 3 £18,900; Year 4 and 5 each £11,000 pa ongoing costs. So over 5 years the expenditure would be around £74,000. These figures were on top of the ongoing costs for the existing lights and stress testing.

77.3 Alternatively a 5 year rental agreement was on offer the costs of which would total about £80,000 over 5 years. The advantage would be that all maintenance would be down to the supplier although it seemed this was not a great risk in the past.

77.4 Given that the rising costs of buying (around £11,000pa) were lower than for renting (around £15,000pa) and the fact that we did own something that might have some value then his view was that the purchase route would be better. He noted that the suppliers said the final order would have to be in by the end of July and asked for authority to continue negotiations to pursue best value based on the purchase route over a 3 year period.

77.5 Mr. Robinson was not keen on the concept of linking the villages although Mr. Home explained that the concept had been in the interests of community spirit and to show that this was one parish.

77.6 **It was agreed** that Mr. Rowley should continue with negotiations on the basis he had recommended and that the matter be brought back to the July meeting for a final decision.

18/78/PC To approve the grant to the Farnhams Magazine for 2019/20

78.1 Mr. Rowley reported that he had been tasked to look at the Farnhams Magazine's accounts and having done so he believed that the £4,000 grant for 2018/19 was right and this was likely to stay the same for next year. **This was agreed.**

78.2 He added that over the next 3 years we could expect to see contributions reduced but it was unlikely to ever reduce to zero. The Chairman thanked Mr. Rowley for his efforts.

18/79/PC To agree what action to take to preserve the public conveniences in Farnham Common including paying SBDC £12,821pa to continue to manage them

79.1 The Chairman reported that following the resignation of the current SBDC employee, SBDC had asked the Council to take over the management of the toilets on a long lease. Currently the Council paid £10,500 to SBDC to keep the toilets open. SBDC were willing to continue that arrangement using the services of a Facilities Management company but the price would increase to £12,821 pa.

79.2 **It was agreed** that this was a valuable facility in the village and the Council should continue to contribute to its upkeep under SBDC management. The Clerk was asked to ensure a service level agreement was in place. It was noted that the use of the toilets should be reviewed in the future.

18/80/PC To amend the signage policy in the light of recent complaints

80.1 Mr. Robinson said that the policy was working well with only 3 of the 45 signs he was originally faced with still up. The Clerk was concerned that Mr. Robinson had not followed the policy as he had attached 7 - day notices to signs where the owner was known. Mr. Rowley was concerned that the policy was being applied heavy handedly and was having a negative impact on community spirit. The Chairman noted it impacted on residents and local groups who relied on companies for support and he had received complaints about the way the policy was working.

80.2 Mr. Milne noted that the policy gave the Signage Manager discretion whether to make an informal approach or not in the first instance. **It was agreed** to remove that discretion and that all approaches should first be made on an informal basis.

18/81/PC To agree to replace the broken fence between Mount Close and FCSC

Mr. Thomas reported that one section of the fence between the Sports field and Mount Close had been trampled down - most likely by residents of Mount Close as a shortcut. He accepted that the fence there was the responsibility of the sports club but felt that if the fence was repaired it would soon be trampled down again. He noted that a resident had complained of a cricket ball coming into her garden but didn't

think this was a big problem. **It was agreed** that this was a matter for the Club to manage and liaise with residents over.

18/82/PC To agree how to progress the consultation on car parking charges

The Chairman had drafted a consultation paper to go on postcards with the next Farnhams Magazine edition. The Clerk was asked to seek best advice on what response rate would be sufficient to constitute a mandate and try and ensure the matter went out with the next edition.

18/83/PC To agree to remove the flags from the Broadway

This was **agreed** to take place as soon as possible.

18/84/PC Finance:

84.1 Payments and receipts, as per the cashbook, **were approved**.

84.2 The issue of engaging external services to monitor devolved contract services was deferred to the next Open Spaces meeting.

84.3 The Accounts and Annual Return were approved as recommended by the Finance Committee.

84.4 Reserves representing the amount received from the Farnham Park Action Group Account – £3114 - were ring fenced. It was understood that for management accounts and forward planning purposes further reserves should be ring fenced for projects but that this would be addressed at the next meeting of the Finance Committee.

84.5 It **was agreed** to replace the back-up office computer which was no longer working at a price of £440 to include installation and reconfiguration.

84.6 Mr. Home had prepared a list of hedges that needed cutting back and although the work had been put out to tender only one quote had been received in the sum of £2,420. This was **agreed**.

18/85/PC Planning

85.1 Comments on recent applications were **approved** and Planning decisions noted.

85.2 The Chairman noted that he had been approached by a resident about a dwelling in the Green Belt that was proposed to be redeveloped. Unfortunately houses in the Green Belt have the same permitted development rights as anywhere else and there was no objection to be made – see GB10 and 11 policies in the Local Plan.

85.3 Notes taken at the public meeting on 22nd May were **approved** and it was **agreed** to fix a meeting date to take the next steps to develop a neighbourhood plan.

18/86/PC To accept resignation(s) received and to consider the next steps in recent code of conduct matters

86.1 The Chairman accepted Mrs. Thompson's resignation as she was moving away and thanked her wholeheartedly for her efforts particularly in running events that encouraged community cohesion.

86.2 The Chairman then read out a statement a copy of which is set out in full at the end of these minutes and announcing his resignation as Chairman and as a Councillor and subsequently moved into the public seats.

86.3 Mr. Milne said he felt Mr. Clapp had been one of the best Chairmen the Council had had and was saddened he was standing down. He did not wish to stand as Chairman himself but would continue to act as an interim Vice Chairman if required. He planned to leave the Council at the elections in May 2019. He offered a vote of thanks to both the Chairman and Clerk. He wished to nominate Mr. Rowley as the next Chairman.

86.4 Mr. Rowley said that when Mr. Clapp had let it be known that he intended to resign he had felt at first that he would resign too and that all councillors should do so if they felt like he did. However he was concerned where that would leave the Council and wanted assurance that Mr. Robinson understood what he had done. However Mr. Robinson had made no apology and he was left feeling quite angry. He

was willing to accept the nomination of being the Chairman on the understanding he was doing so on an interim basis until the issues relating to Mr. Robinson's conduct had been resolved.

86.5 Mrs. Tipping said it was sad that an inappropriate statement from one person should lead to the whole Council being unable to do its best.

86.6 Mr. Home proposed and Mr. Milne seconded Mr. Rowley as Chairman and this was **agreed** by a majority decision – Mr. Robinson abstaining.

86.7 The Clerk thanked the Chairman for his past service and support and for his professionalism, vision and integrity as Chairman that had led to the Council having achieved so much in his four years in office.

86.8 Mr. Rowley said that Mr. Robinson had been written to with a deadline for the receipt of a response and apology - that being the date of this meeting. Mr. Robinson had declined to make a response and therefore Mr. Rowley asked the Council if they wished to apply the proposed sanctions previously set out in the letter. For clarity he said the issue for the Council was to decide whether to remove Mr. Robinson from leadership positions on the Council - namely as Signage Manager, as chair of the play area working group and as a representative on the Local Area Forum. This was **agreed** by all – apart from Mr. Robinson. The Clerk was asked to write formally to Mr. Robinson confirming this decision. Mr. Robinson said he had not been spoken nicely to on a number of occasions, had been bullied and he had not initiated any of the referrals to the monitoring officer.

18/87/PC Any Other Business (for information only)

87.1 Mr. Robinson reported he had been out with the speedwatch team on two occasions in Rosewood Way and the Avenue with some success.

87.2 Mrs. Tipping enquired if any progress could be made to install a speaker system in the Hall. Mr. Home said this was being looked into.

87.3 Mr. Chris Foulds – with permission to speak from Mr. Rowley - said he was shocked by what he had heard at the meeting particularly where it involved his property. He noted that he had always found Mr. Clapp to be very fair and unbiased, that he had never had any personal dealings with him and that it seemed that the wrong person had resigned.

87.4 Mr. Foulds added on a separate note that he would not want to see the Christmas lights extended between the villages as this would make the parish look like Southend on Sea.

87.5 Diane Needham felt she could not support the Council unless Mr. Robinson resigned given the trouble he had caused. She said it was unacceptable in the circumstances that he represented the parish and made decisions on behalf of residents. Mrs. Tipping said particularly so when some of the comments he had made were personal and unacceptable giving Councillors no right of reply.

OPEN FORUM

Diane Needham said she understood the Clerk was leaving and she wanted to say she had done a great job over the last 9 years and she hoped everyone appreciated that - as it was not an easy job. The Chairman said he endorsed that 100%.

Bill Youel said he was sorry to see the Clerk leave and on behalf of residents he wanted to thank her for her tireless work. He said her appointment had been a game changer for the Council and was a thankless task as the public did not know how much work goes on behind the scenes.

Cllr. Dev Dhillon endorsed previous comments about the Clerk and said he would miss working with the Clerk. She had a hard task and had done well.

Mr. Attree of Parsonage Lane started by saying he added his appreciation and was sorry to hear the Clerk was resigning. He went on to refer to the Parish Patch article in the latest edition of the Farnhams

Magazine quoting a sentence which he said made a strong point in favour of releasing part of the Green Belt for development and asking whether the Chairman had any qualms about indicating that the area known as Foulds Fields might be suitable for release. The Chairman explained that articles are written 3 or 4 months before the magazine is distributed and in this case before the April meeting. It was his view that it was necessary to consider the entirety of the Green Belt and mount arguments to show where it fulfils the NPPF Green Belt function. He felt there might come a time when there is a need to prioritise areas of Green Belt in which case he felt the Miles and Miles site and land to the south would be of great importance. He said that what he meant to say was categorically the opposite of how Mr Attree had interpreted it.

Statement made by the Chairman

Following from the last Parish Council meeting I have received formal notifications reporting my Chairmanship of the Council from both a fellow Parish Councillor and a member of the Parish, who also claims to represent a number of other Parishioners. These are serious allegations aimed at not only my Chairmanship but at our long standing Clerk and six other members of the Parish Council.

Some of the allegations are made in writing and claim amongst other things....

“The Chairman and the Clerk have acted quite inappropriately, that their integrity needs to be challenged and that the Chairman and six members of the Parish Council should be referred for breaches under the code of conduct and that the Chairman and Clerk brought the PC into disrepute.”

Although these allegations are without foundation, they are sufficiently serious that I have asked the Clerk, on 23rd May 2018, to refer them to the Monitoring Officer for investigation.

It will not be lost on you that these allegations are made following the deliberations where the Parish Council found Cllr Robinson to have breached the Code of Conduct. A matter which the PC has tried to resolve amicably with him, but without success.

It does appear that Cllr Robinson’s aspirations – rumoured to be to Chair the Parish Council - have got in the way of his support for what the PC collectively decides and does. The opportunity to further his own aspirations through criticism of his fellow Councillors has seriously harmed the credibility of the Council and the work that he has done, himself, for the Council, in the process.

It is clear to me that the mistrust of me, our Clerk and my fellow Councillors, is irreparable and a severe hinderance in the Council pursuing the matters that it must. That is to tackle the general threat to the Green Belt and Slough’s proposed expansion north, in particular amongst the myriad of other, more mundane, duties.

It is for this reason that I have resigned the Chairmanship and will be stepping down as a Parish Councillor today so that focus can return to issues that the Parish Council must deal with leaving this political manoeuvring behind.

The Parish Council needs the full support of its Parishioners to operate and to *those who see a Citizen Smith character in Cllr Robinson*, the man who in his “*power to the people*” outburst told you that,.....He was a “lone voice on the Council” and effectively the only one fighting for the Green Belt and that your other Parish Councillors could not be trusted, I say think again. It is his misrepresentation that is at the heart of the unrest that he has singly created in our Community.

It is not as if his statement is even true. Cllr Robinson, was, in fact, the Councillor who formally proposed the release of areas of the Green Belt for development during the Local Plan review consultation. As odd as it may seem, given what you have heard him say, the area he was proposing to give over for

development was the land known as Foulds Fields. It might be worth looking at the paper he prepared for the PC as you consider how you move forwards, And who you do it with.

I do hope that some of you who have been encouraged to levy these allegations will step forward, as Clllr Robinson encouraged you, to join the Council with him. I can assure you that you will find it rewarding, if not, a lot of hard work.

So as I hand over to our vice Chairman, to my fellow Councillors I say thank you for your support and working with me for the last 10 years on what has been, until now, a cohesive and very active Council. And to our Clerk, I say, we could never have achieved what we have, without your expertise and professionalism and I will sincerely miss working with you.

This concludes the meeting at 9.20pm.