

WARWICK DISTRICT COUNCIL
BISHOP'S TACHBROOK PARISH COUNCIL

Case Reference: LSF.13.2011

COPIES OF DOCUMENTARY
EVIDENCE TAKEN INTO ACCOUNT

N.B. The documents referenced in the statements of Andrew John William Day (document 5) and Graham Maurice Leeke (document 6) appear in this document as the following numbered documents;

Reference in Statement	Reference in Appendix
AD1	9
AD2	7
AD3	8
GL1	10
GL2	3
GL3	7
GL4	8



COMPLAINT FORM

1

Section A: Your details

Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

Title:	Mr
First name:	DAVID
Last name:	NORRIS
Address:	[REDACTED]
Daytime telephone:	[REDACTED]
Evening telephone:	
Mobile telephone:	
Email address:	[REDACTED]

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people that you have made this complaint:

- the member(s) you are complaining about
- the members of the Assessment (and Review) Sub-Committees dealing with your complaint
- the Monitoring Officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete Section C of this form.

Please tell us which complainant type best describes you:

- Member of the public
- An elected or co-opted member of an authority
- An independent member of the standards committee
- Member of Parliament
- Local authority monitoring officer
- Other council officer or authority employee
- Other ()

D.M.C

21 MAR 2011

WARWICK DISTRICT COUNCIL

Section B: Making your complaint

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Mr	Graham	Leeke	Bishops Tachbrook P.C.
Mr	Andrew	Day	"

Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the Code of Conduct.

It is important that you provide all the information you wish to have taken into account by the Assessment Sub-Committee when it decides whether to take any action on your complaint. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.
- If more than one month has elapsed since the incident or latest incident occurred please explain why the complaint has not been made earlier.

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

Graham Leeke, has used his position to Manipulate Council enforcement,
Not fully declare conflicts of interest with regards to Voting for money for a church Centre when his wife is PCC Member.

See Cont. Sheet

Relevant extracts from complaint of Mr. David Norris

As a member of the village, I have been aware of inappropriate funding and spending behaviour of the Parish Council in Bishops Tachbrook.

.....

I have had my concerns of this parish council's public money wasting since taking an interest after several incidents happened concerning Grahame Leeke and Andrew Day members of the parish council.

I have been attending several parish council meeting and noticed non constitutional behaviours.

.....

The greatest concern to myself and fellow parishioners is that Andrew Day applied and spoke to receive £50,000 and he then voted to receive it

..... the issue It's the non disclosed of conflict of interest: Grahame Leekes wife is secretary of the church PCC, , Andrew Day is on the PCC and St Chards centre chairman, but still vote to receive money

.....

[Signed] D. Norris

Peter Oliver/CL/WarksCC

From: Peter Oliver/CL/WarksCC
Sent: 08 August 2011 17:01
To: 'Andrew Day'
Subject: RE: WDC Code of Conduct Complaint | Ref: LSF.13.2011
VF-ITEM-ID: 2455896:21174488:13996:

Dear Mr. Day,

Thank you for responding so promptly. I will be in touch with you again in due course to arrange to interview about the complaint.

Regards,

Peter Oliver
 Senior Solicitor and Environment Team Leader
 Community & Environment
 Law and Governance
 Resources Group
 Warwickshire County Council
 Shire Hall
 Warwick
 CV34 4RR

Tel: 01926-418171
 email: peteroliver@warwickshire.gov.uk

From: Andrew Day [REDACTED]
Sent: 07 August 2011 16:46
To: Peter Oliver <peteroliver@warwickshire.gov.uk>
Cc: Corinne Hill <parishclerk@bishopstachbrook.com>
Subject: WDC Code of Conduct Complaint | Ref: LSF.13.2011

Dear Mr Oliver

I write to respond to the questions you raised in your letter of 1 August.

- I am presently a member of the Parochial Church Council of St Chad's Bishop's Tachbrook and have served continuously for over 10 years. No other member of my family is a member of the Parochial Church Council of St Chad's Bishop's Tachbrook.
- All the members of my family attend and have attended services at St Chad's Bishop's Tachbrook. My wife and I are both on the St Chad's Church Electoral Roll.

Thank you for offering to keep me informed on the progress of your investigations. I would prefer to only be contacted when there are substantive developments.

Yours sincerely

Andrew Day

[REDACTED] <http://www.BishopsTachbrook.com>

**Initial response to Mr David Norris' complaint
-per Peter Oliver's letter 1 Aug 11**

BACKGROUND

- 1 I first became aware of Mr Norris's visceral objection to proposal to build the St Chads Centre at the Parish AGM in March 2010. I was chairing the meeting and when the item came up for discussion Mr Norris spoke forcibly against it.
- 2 Since that time Mr Norris has conducted an energetic and high profile campaign. On several occasions he has decorated his house which is situated opposite St Chads church with posters and banners stating his objections to the plans.
- 3 Mr Norris says he is "angry" and on several occasions this has spilled over into abusive behaviour towards me and other councillors.
- 4 He has also written several letters to the PC which contain defamatory accusations about councillors and members of public who he believes support the St Chads Centre proposals.
- 5 I consider that this formal complaint is an extension of his campaign to disrupt the PC, and specifically intended to demoralise individual councillors ahead of the Elections in May.

INFORMATION

- 1 I was a member of the PCC but withdrew 5/6 years ago (difficult to obtain exact dates 'cos no ready access to the

minutes). My wife joined the PCC at its meeting on 25th Jan 2010 when she became Treasurer.

- 2 My wife and I attend services at St Chads church, and are on its Electoral Roll.

GML 9 Aug 11

LOCAL GOVERNMENT ACT 2000 s. 59

Warwick District Council Complaint Reference: LSF.13.2011

Investigation into an allegation concerning Bishop's Tachbrook Parish
Councillors Day, Deely and Leeke

STATEMENT OF DAVID NORRIS

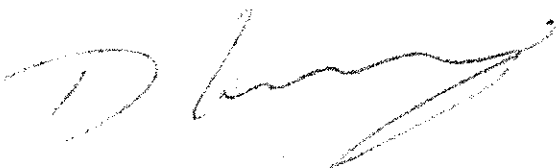
1. My name is DAVID NORRIS and I live at 5 Mallory Road, Bishop's Tachbrook, Leamington Spa, Warwickshire, CV33 9QX. I moved to that address in 2007. Neither I, nor any member of my family, has ever been a member of either Bishop's Tachbrook Parish Council (BTPC) or the St. Chad's Parochial Church Council (PCC)
2. At the time I moved into the village in 2007, I was aware that planning permission had been sought for the first phase of the proposed St. Chad's centre. The proposal is fairly close to my house, although it wouldn't have a great effect on me, as you couldn't really see it from my house. There may be some effects from increased parking.
3. In my personal view at that time, I didn't feel that the proposal was a major issue. The planning permission was expiring, and because of the amount of money to be raised (about £1m), I felt the development was unlikely to proceed. I also thought that it would be a shame to build on the site of the mediaeval 14th century churchyard, and that the development could potentially compromise the village Sports and Social Club (of which I am not a member), by taking business from it.
4. In the following period, there was a lot of information in the Parish Magazine advising how much money had to be raised and what the benefits for the village would be. I first became aware of the issue regarding renewing the planning permission when a member of BTPC, Councillor Renee Warner, knocked on my door asking me to sign a petition against the development. I thought the development was the

wrong decision. I have worked in the public sector in project management and funding, and I didn't think there was a business case.

5. With all the spin in the Parish Magazine (which is produced by the Church and BTPC), I requested to be allowed to write a piece to give an alternative view. This request was refused point blank. Andrew Day was writing regular articles on the church centre development suggesting everyone was in favour of it. As a newly moved in individual, I thought I should possibly get involved.
6. A parish meeting was held, which I attended. It was apparent that there were many angry individuals there at the thought of BTPC not listening.
7. Andrew Day, who is the Chairman of St. Chad's Centre (the group that is requesting funding for the development and who are going - I presume - to be the management committee) requested funding of £50,000 for the development from BTPC. Andrew Day is also a member of BTPC and the PCC.
8. I attended the meeting of BTPC on 21 January 2010 when the request was considered. I made members of BTPC aware that they had a conflict of interest. Councillor Day, voted in favour of the funding being given for the development of St. Chad's centre. Councillors [REDACTED] and Leeke were also present at the meeting. [REDACTED]. [REDACTED]. Councillor Leeke is a member of the church and his wife is Treasurer of the PCC. None of this was declared when the vote was taken to give the £50,000 for the development. They voted again regarding the money being given again later at the school, and later after the parish poll.
9. After this, I started to attend BTPC meetings on a regular basis, as I was concerned that the minutes did not reflect what was going on. I

was also asked to assist with an action group. As I had been made redundant and had some time on my hands, I agree. We formed Bishop's Tachbrook Action Group (BTAG).

[REDACTED]



Signed

Dated... 7th October 2011...

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one

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at

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LOCAL GOVERNMENT ACT 2000 s. 59

Warwick District Council Complaint Reference: LSF.13.2011

**Investigation into an allegation concerning Bishop's Tachbrook Parish
Councillors Day, Deely and Leeke**

STATEMENT OF COUNCILLOR ANDREW DAY

1. My name is ANDREW JOHN WILLIAM DAY and I live at Savages House, 15A Savages Close, Bishop's Tachbrook, Leamington Spa, Warwickshire CV33 9RL. I have lived at this address for 10 years, and in Bishop's Tachbrook for 15 years.

2. I was initially co-opted onto Bishop's Tachbrook Parish Council (BTPC) in about 2001, and elected to the Council in May 2003. I resigned from the Council due to ill-health in 2005, was co-opted back onto the Council in 2006, and re-elected in 2007. I have been on the Council continuously since that date. I was Chairman of the Communication and Amenities Working Party, set up by the Parish Council but including members of the community, until it was recently split into two separate working parties. I now chair the Communications Working Party.

3. I can recall attending two sessions of training on the Code of Conduct. One was a month ago conducted by Graham Leach of Warwick District Council. I can't recall when the earlier one took place. During 2010, I was aware of the requirements of the Code. If I was not sure whether to declare an interest, I would ask the Clerk to the Parish Council for advice.

4. I have from time to time completed forms of 'Notification by a Parish Councillor of Financial and Other Interests'. The form completed by me dated 3rd August 2009 (document AD1) was the one current at the time of the meetings of the Parish Council on 21 January and 20 May

AM

2010. I completed a new declaration following the elections in May 2011.

5. I have been a member of the St. Chad's Parochial Church Council (PCC) for over 10 years. At an away day of the PCC in 2002, the need for a church hall / village hall was identified. As well as the need for such a facility for the church community, the PCC were aware of demands for a base for community groups to conduct their activities because these groups had been regularly using the church. For example, youth workers, the Parish Council and other community groups had been meeting in the church. Consultations with the wider community also identified the need for a base for a mobile post office (the Post Office in the village had recently closed) as well as from other community services. Since its inception, I have chaired the group that formed as a result of these consultations and undertook to move the project forward. The members are from both the church and the community. This group has no formal legal standing, but reports to the PCC, which holds the St Chad's Centre bank accounts.
6. I have been shown a copy of the minutes of the meeting of the BTPC on 21 January 2010 (document AD2). I believe those are an accurate record of that meeting. I declared a personal interest in the item relating to St. Chad's Centre as I had been and was known to be personally involved in the project as the Chairman of the Project Group, as a Parish Councillor and a member of the PCC.
7. I considered whether that involvement meant that I had a prejudicial interest. I consulted the Clerk to the Parish Council and she advised me to declare a personal interest. I accepted her advice that it was not a prejudicial interest for two reasons. Firstly, there was no personal gain for me or my family or any close associates. Secondly, the award of a grant would not alleviate any costs to the PCC, as the business model for the centre is that all users (including the church and church groups) would pay to use the centre. I was also aware that Councillor Renee Warner lives next door to the proposed site for the development, and she declared a personal (but not a prejudicial) interest.

8. I do not know Mr. Norris personally, but am aware of who he is. I don't recall him being present at the meeting on 21 January, and am absolutely sure that no-one raised any questions about conflict of interests. If they had, it would have been recorded in the minutes.
9. At the meeting, I updated the Parish Council on the progress with the centre. The Council had been aware of the proposal since 2002, had been consulted on many occasions, and had considered and supported a planning application some years earlier. The support of the Parish Council, especially financial support, for the scheme is very important as having a civic partner as a stakeholder enables approaches to be made to a wider range of bodies for grant aid. Without their support, there is a more limited number of bodies which could be approached for grant aid, which would make pursuing the project more difficult.
10. The application for the grant from the Parish Council was made by the group promoting the project (which is described in paragraph 5 above), not by the PCC. The proposal is to build the hall on land owned by the church adjacent to the graveyard.
11. At the Parish Council meeting, I moved the proposal to award the grant. I was aware when doing this, and during the preceding debate, that there was a need to consider how the Parish Council engaged with the project, as this was the first time that the Council had considered having a financial interest in it. This led to the minuted agreement to set up a sub-committee of Councillors under Councillor Deely to draft a Letter of Understanding (essentially the conditions on which the grant was being given).
12. At the end of the debate, I voted in favour of awarding the grant, and the motion was approved.
13. I have been shown a copy of the minutes of the meeting of BTPC on 20 May 2010 (document AD3). So far as I can recall, these minutes are an accurate record of the meeting.
14. I cannot be sure whether or not I declared an interest in the minute on St. Chad's Centre (minute 709). I accept that minutes do not record any declaration of interest. The main part of the discussion was about

the Parish Poll, and whether the Parish Council should be bound by the result of the poll. It was only towards the end of the debate that a motion was proposed to rescind the grant offer. If I did declare an interest, I would probably have declared a personal interest as previously. I voted against the motion to rescind the grant, which was defeated.

15. I have been asked to explain why I declared a prejudicial interest at the meeting of the Bishop's Tachbrook Planning Committee on 28 September 2010. This was in part because Councillor Renee Warner declared a prejudicial interest, so I thought I would be as circumspect as I could be and leave the room. Planning is the most heated part of the debate about this project, and I did not want to appear to be intimidating the Parish Council. My personal position had not changed, and I still feel it would have been sufficient for me to declare only a personal interest.
16. I want to explain further that there is no personal benefit for me in the project. Were it to fail, I do not believe that it would reflect personally on me. I work as a professional fund raiser for charitable organisations, and in my professional life, there are always projects which fail. In addition, if this project were to fail, my wife would be delighted, as the project would no longer be taking up considerable amounts of my time.

Signed 

Dated..... 22nd November 2011

LOCAL GOVERNMENT ACT 2000 s. 59

Warwick District Council Complaint Reference: LSF.13.2011

**Investigation into an allegation concerning Bishop's Tachbrook Parish
Councillors Day, Deely and Leeke**

STATEMENT OF COUNCILLOR GRAHAM LEEKE

1. My name is GRAHAM MAURICE LEEKE and I live at The Grove, Oakley Wood Road, Bishop's Tachbrook, Leamington Spa, Warwickshire CV33 9QE. I have lived at this address since 1983.

2. I was first elected onto Bishop's Tachbrook Parish Council (BTPC) in 2003, although I had been a co-opted member before that. I was Chairman of the Parish Council from 2003 until May 2011, when I became Vice-chairman.

3. I have attended at least two courses for Parish Council chairmen and councillors run by Warwick District Council and the Warwickshire Association of Local Councils. These courses always include sessions dealing with the Code of Conduct. I consider that I have a good knowledge of the requirements for Declarations of Interests. After each election, the Clerk always issues all councillors with a pack which includes the Standards for England Guide for Members on the Code of Conduct. I always have this pack with me at Council Meetings.

4. I have from time to time completed forms of 'Notification by a Parish Councillor of Financial and Other Interests'. The form completed by me dated 14 December 2009 (document GL1) was the one current at the time of the meeting of the Parish Council on 21 January 2010. I completed a new declaration following the elections in May 2011. The only material difference is that I am no longer chairman of Friends of Oakley Wood, although I am still on the committee of that organisation.

5. I have been a member of the St. Chad's Parochial Church Council (PCC) in the past, but I cannot remember exactly when I ceased to be a member, although it was at least 5 or 6 years ago. My wife became Treasurer of St. Chad's Church and a member of the PCC on 25 January 2010. At the time of the meeting of the Parish Council on 21 January 2010 I was aware that it was likely that my wife might be taking on those roles. Both my wife and I attend services at St. Chad's Church, and are on the church electoral roll.

- 6 The fact that my wife joined the PCC a few days after that parish council meeting should not be taken as an indication that she would automatically be in favour of the St. Chad's Centre project. As is widely known in the village not all PCC members were in favour of the Centre. They feared the Centre project would divert funds from the upkeep of the church and its fabric, and that in the future the cost of maintaining the Centre might fall back on the church community. It is reasonable to assume that the PCC treasurer might share these concerns.

7. The project to build St. Chad's centre is run by a sub-group of the PCC. The Parish Council is not involved in this and does not have any representation on it. Neither my wife nor I are members of that sub-group. I am not aware of any group or organisation outside the PCC involved in running or supporting the project.

8. I have known Mr. Norris for a few years. He lives right opposite the church, next to the shop, and I would often see him working on the refurbishment of his house. I chatted to him a number of times about this. He has done a good job on it. At my suggestion he came to the History Group on 13 July 2010 to talk about the conversion of this 15th Century house.

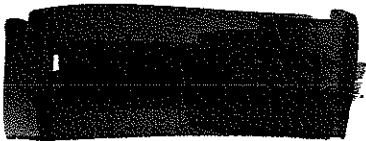
9. In the note (document GL2) which was attached to my email of 11 August 2011 to Mr. Oliver, I referred to Mr. Norris's "visceral objection"

to the proposed Centre. I used that phrase because he is so angry about the proposal, and has expressed his views intemperately both in correspondence and face to face. He is a big man, and his behaviour can be intimidating and aggressive. His stated intention was to get parish councillors to resign.

10. I have been shown a copy of the minutes of the meeting of the BTPC on 21 January 2010 (document GL3). I believe those are an accurate record of that meeting. I declared a personal interest in the item relating to St. Chad's Centre as I was on the electoral roll of the church. I considered whether I should declare a prejudicial interest. I did not think at the time that it amounted to a prejudicial interest and I still don't.
11. I remained in the meeting throughout the discussion on the St. Chad's Centre. The length of the minute shows the length of the debate. As members of the Parish council, we were well aware that this was a sensitive issue and that we had to tread carefully. We had an experienced Clerk present to advise us as necessary.
12. The discussion was as to whether it was appropriate for the Parish Council to make a grant, and if so on what terms. The key point was that the centre if built would be for the whole community and not narrowly for the church or the PCC. At the end of the debate, as Chairman I asked for a show of hands. There were 4 votes for the proposal with 1 vote against. I was one of two councillors who abstained.
13. I don't recall Mr. Norris attending that meeting or making members aware that he thought they had a conflict of interest. There are two reasons for this. Firstly, although as was her practice the Clerk did not record the names of members of the public who spoke, she did invariably record the points they made. This is the case here and is evidenced in many other sets of minutes. So the absence of any

reference to conflicts of interest strongly suggests that Mr. Norris did not make that point on this occasion. Secondly, until the parish open meeting in March, I had not heard Mr. Norris express an opinion for or against the St. Chad's centre project. I was taken by surprise at the stance he took that evening. This confirms in my mind that he had not spoken about it at the Parish council meeting in January.

14. I have been shown a copy of the minutes of the meeting of the BTPC on 20 May 2010 (document GL4). These were the last set of minutes prepared by the outgoing clerk. The Parish Council confirmed them as correct at its meeting in June when we had a stand in clerk. Whilst I think the minutes should be regarded as accurate, the lack of continuity leaves a doubt in my mind as to whether they were as full as usual.
15. At that meeting there was further discussion on the grant for the St. Chad's project as part of the discussion about the result of the Parish Poll. I cannot now remember if there were any declarations of interest. It was our practice to declare them, but there are no declarations recorded in the minutes. Obviously, I had declared an interest at the January meeting and a similar personal interest would have applied in May. So far as I am aware, the same would also have been the case for other councillors.
16. There is no village hall at the moment in Bishop's Tachbrook, just the sports and social club and the school. If built, the centre will be run by a charitable trust limited by guarantee for the benefit of the whole community. This company is currently in the process of being set up and replaces the Letter of Understanding referred to in the minutes of the 21 January 2010 Parish Council meeting. The Parish Council is being advised by a solicitor from WCC.

Signed ..  ..

Dated .. 7 Dec 2011 ..

Minutes of Parish Council meeting Thursday 21st January 2010 at 7.30pm at BT Sports & Social Club

RESENT: Parish Cllrs R Brookes, A Day, S Deely, A Harrison, G Leeke (Chairman), R Loveday, R Warner, S Bush (Clerk). WCC Cllr Caborn, WDC Cllr Doody. Amanda Smith. 9 Members of the public.

656 **APOLOGIES:** Cllr A Warner, Cllr Tallett absent due to bereavement.

657 **FIFTEEN MINUTE PUBLIC SESSION**

Agreed that PCSO Nathan Parry Hall could report at the start of the meeting due to his time commitments. He reported no antisocial behaviour relating to the BMX track. Investigations into the break in at the Church on 17th December are awaiting DNA evidence. Chairman thanked Nathan for his visibility before Christmas at the BMX track; this had been valuable. Chairman welcomed members of the public present. A resident asked the PC to approach the owners of the Old School Hall to make it secure as rain is leaking in and he feels it was a danger. Chairman informed that there is very little the PC can do but asked the Clerk to write to owners to ask what their plans were & offer support.

There was a question regarding the development of the St Chads Centre and parking issues around the green. Councillors explained that the possible redesign of the Church Hill/ Mallory Road junction under the SSV project may deal with this; further details will be given at the March Open Meeting.

Concerns were expressed regarding the St. Chads Centre and the annual precept increase, the Chairman encouraged residents to stay and listen to Councillors debate these items later in the meeting.

658 **MINUTES**

RESOLVED: minutes of the meeting of the Council held on 10th December 2009 true & accurate.

659 **CLERKS REPORT**

The Clerk gave a brief update on the following items:

WDC Concurrent services payment notification: Chairman asked Clerk to record the PC's disappointment that the amount allocated for 2010/11 was only 0.6% higher than last year and covered just half of the expenditure incurred by BTPC on the items it was meant to cover. Cllr Caborn informed that higher increases were not possible as WDC do not have the funding.

Defibrillator / Emergency Plan: referred back to CAWP.

Penfold Close resident's correspondence: now concluded.

Insurance company re. water leak: awaiting response, likely to take a few days.

Letter from St Chads PCC re. wall: Clerk to acknowledge the letter and urge the PCC to pursue with Cllr Doody's suggestions regarding funding from the Ecclesiastical Landfill tax fund & any other sources. If these are unsuccessful by end March, then please come back to the PC.

660 **ST CHAD'S CENTRE (CLLR A DAY)**

Cllrs Day, Leeke, Brookes & R Warner, declared personal interest.

Cllr Day updated the Parish Council on the progress being made with the St Chad's Centre. Funds raised so far totalled over £75,000; this is now approaching the level that would allow applications to Biffa and other external funds to achieve the balance required. It is now anticipated that the total project cost will come in well under the original estimated £750,000. He made the point that over the last 4/5 years the PC had been successful in multiplying up its contribution to new amenities by bidding for outside sources of funds; over £150,000 had been invested on the meadow and elsewhere in the Parish by this means. Cllr Day asked the PC to embrace the same process by assigning £10,000 p.a. over the next five years.

He stressed that the centre would be a facility for the whole community including the Gates, and not just for the church. Also the management committee would have representatives from the PC and other user groups.

Concerns were raised concerning the Parish Council's remit and powers to make such donations; the Clerk advised the PC have a direct power to grant precept funds to this project.

Chairman questioned what would happen to the funds committed by the PC if the project were to fall through. Cllr Day said in that case, the funds would be returned. Similarly if not all of the funds were used there would be an agreement in place with regards to any surplus.

The point was made that while the PC has sufficient reserves to make the first 2 payments,

and could express a commitment for the following 3 years, the new council that would be elected in May 2011 could review matters.

Following further debate, Cllr Day proposed a motion that the PC make a grant of £10,000 a year for the next 5 years towards the cost of constructing the St Chad's Centre.

The motion was seconded and RESOLVED: Four hands were shown in favour, one against, two abstentions.

It was then agreed that a sub-committee of councillors under Cllr Deely would meet to draft a Letter of Understanding. This would set out the conditions under which the PC's donation was to be made, to be agreed by the PCC. This draft to be approved at the next meeting of BTPC.

661 REVIEW DRAFT BUDGET & AGREE PRECEPT

Clerk had circulated a draft budget for 2010/11 prior to the meeting for consideration. The figures were discussed and some changes agreed. The Clerk informed the PC that due to a change in the parish tax base, a 3.7% increase on the precept would yield an additional £1061 on the precept from £28698 to £29759 but would not increase the payments from individual tax payers. RESOLVED: that the precept for 2010/11 be set at £29759.

The Chairman commented that this decision meant that Tax Payers would be paying only 9% more in parish precept than 5 years ago.

662 WARWICKSHIRE COUNTY COUNCIL MATTERS (CLLR L CABORN)

Safer Smarter Village: nothing new to report.

Safer Route to School: Opening ceremony: Cllr Caborn to try and fix date to combine with parish litter pick 13th March.

Highway Maintenance: management. Cllr Caborn to confirm chain of command in Highways at February meeting. He also informed PC that the LTP 3 Transport Plan v 3 consultation is shortly to be sent and is due by March. The PC response to the Highway Maintenance questionnaire had been submitted - a copy would be in the Blue Box.

Warwickshire Leader: Two bids had been drafted by from Susan Watt: Trees for Life: school project and 'Lets get Together' Community Cohesion project, incorporating village events group ideas. The PC conveyed thanks to Susan for her initiative. Cllr Caborn reported that a new lead officer has been appointed and would be at next Forum meeting. CAWP to pick up trail on its next agenda.

HL Junction/grass cutting: Cllr Leeke seeing Paul Cowley tomorrow 3pm and will report back.

663 WARWICK DISTRICT COUNCIL MATTERS (CLLR M DOODY)

Update from Warwick Gates Residents: no meeting since last PC so nothing new to report.

Waste bin for BMX track: several conversations with Cllr Dave Shilton who is supportive of this and is doing what he can to secure. The Clerk to write to Paul Garrison WDC to see if the bin could be installed as part of WDC's Big Tidy campaign.

Harbury Lane recreation centre: usage & running costs: the costs previously requested by the PC are currently being pulled together.

664 LOCALITIES FORUM / MATTERS TO & FROM THE POLICE

Meeting 28th January 2010: Cllrs Brookes & Leeke to attend. Our VAS bid is on the agenda. They will also complete the Questionnaire on the working of the Forum and place copy in Blue Box.

665 SCHOOL MATTERS (AMANDA SMITH)

Amanda reported that she and Michelle Robertson have worked hard over the last two years on School Travel Plan. But safe access for the bus continues to be an issue. The School write to parents regularly re. parking. The new Headteacher is willing to take problem forward with the bus companies. Cllr A Warner had agreed to head up a working party with County, Bus Company and School representatives to come up with a solution. Letter from resident re. school bus: Clerk to acknowledge and report as above.

Ofsted has reported the School is now "good" with "outstanding features".

Cllr Caborn asked for an update on the new building project. Amanda explained that the options had been reviewed but work was still likely to be carried out in next summer holidays. Cllr Day confirmed that the Trustees of the Old School Trust were happy with what is now proposed. Amanda would report back.

666 CAWP

Next meeting change of venue - back to Andrew's house. Defer items below to 1st Feb mtg.
BMX update- finalise rules; funding bid signage / BT branding / Website review

667 PLANNING

Core Strategy: Cllrs Leeke & Brookes met with Gary Stephens & Lorna Caldicott on 11th Jan to discuss outstanding concerns, notes to be circulated. The Executive Summary which had been sent to all Councillors had now been posted to members of the Development Plan Working Party together with a covering letter.. 7 new possible development sites had come forward and would, have to be consulted upon.

Housing Needs Survey: Cllrs Tallett and Brookes are conducting a review of possible brownfield sites in the village.

Parish Plan: nothing new to report but there will be large working group meeting first week in March. Cllr Caborn said WRCC are available to help.

WDC Planning Forum 4th February: Cllr Brookes to consider and submit items for agenda.

668 FINANCIAL ADMINISTRATION

Bank Balances: £9298.94 current / £18174.21 investment / £5197.16 youth=£32670.31

Resolved: approve payment of the following accounts:

Clerks January salary & Exps	£503.68
Meadow clearing January: Alpha Tachbrook	£20.00
Website Maintenance January: Heaths Creative	£173.25
Christmas Tree	£70.00
£223 surplus back to Awards for All	£223.00
Parish News contribution from WDC	£50.00
Severn Trent water bill to 3 rd December	£142.93
Noticeboard installation and play equipment checks: Richard Morton	£229.19
TOTAL	£1412.05

669 BLUE BOX / CORRESPONDENCE

- WRCC Warwickshire's Best Village Competition 2010
- CPRE Membership 2010
- James Plaskitt MP re. festive greetings and involvement in parish matters
- Chris White, letter & request to attend PC meeting - Clerk to invite.
- 3 other letters also received from residents re, Church wall funding and St Chads Centre

670 ANY OTHER BUSINESS

671 DATE OF NEXT MEETINGS:

CAWP Mon 1st Feb / Planning Cttee Tues 2nd Feb / Full PC Thurs 18th Feb.

BISHOP'S TACHBROOK PARISH COUNCIL
Minutes of meeting Thursday 20th May 2010 7.30pm at BT Primary School

PRESENT: Parish Cllrs A Day, S Deely, A Harrison, G Leeke (Chairman), R Loveday, C Tallett, A Warner, R Warner, S Bush (Clerk). WCC Cllr L Caborn, WDC Cllr M Doody.
Four members of the public.

698 APOLOGIES: none.

699 ELECTION OF CHAIRMAN
Proposed, seconded and accepted: Cllr Leeke, there were no other nominations.

700 ELECTION OF VICE-CHAIRMAN
Proposed, seconded and accepted: Cllr Deely, there were no other nominations.

701 ELECTION OF CAWP / PLANNING COMMITTEE CHAIR
CAWP: Cllr Day / Planning Committee: Cllr Brookes.

702 CONFIRM REPRESENTATIVES ON OUTSIDE BODIES
WRWCF: Cllrs Brookes, Deely and R Warner.

Cllr Leeke gave details of his recent award for NALC's Councillor of the Year. The sponsor of the award, the Commission for Rural Communities, wishes to visit the Parish next month, details are to be confirmed.

Chairman reported to the meeting re. Clerks resignation. Recruitment process to be discussed after item 705 in the minutes.

703 FIFTEEN MINUTE PUBLIC SESSION
4 members of the public were present. A question was asked about the minutes of the extraordinary meeting on 7th April which referenced the influence of alcohol at the March Open Meeting. What was the evidence for this? Cllr Leeke said that the Clerk of the Open meeting had stated in her report that alcohol consumption had influenced the behaviour of certain members of the public. The Clerk advised that the Local Government Act 1972 was specific that council meetings should not be held on premises that were licensed. Given the disruptive behaviour at the March meeting, the Council could not ignore the statute and were obliged to make other arrangements for the future.
A petition against the Council's decision to contribute towards the cost of the St Chads Centre was received by the PC.

704 MINUTES
RESOLVED: minutes of the meetings of the Council held on 18th February, 7th April & 21st April 2010 true and accurate records.
Cllr R Warner asked why the meeting 7th April had been a closed session. The Chairman explained that the same question had been asked at the last meeting and the answer was in the minutes.

705 CLERKS REPORT
Insurance company re. water leak: Allianz were saying that the contractor's insurer should be contacted and that only if there was proof of negligence on PC part would the claim be reconsidered. The Clerk to pass the policy document and correspondence to Cllrs Leeke & Deely to review.
Outstanding debts: Clerk reported final letters will be written to both families prior to court proceedings if there is no resulting action.
Waste bins : Clerk reported the result of the audit of the bin outside the shop had not been forthcoming. Agreed correspondence to be passed to Cllr Doody who will contact the officer at WDC.
Meeting venues: the Clerk confirmed the School booked for the June meeting; and she will try to book WG Community Centre for July or August meeting and then look at venues for remaining dates. Cllr Doody made the point that WGCC is outside the parish - the Clerk to look into this.

Annual Safety Inspection of play equipment: passed to Cllr Tallett to consider and forward via CAWP.

First Responders System: Clerk reported 5 volunteers have come forward; one more is needed. A final plea to go into the next parish news.

Community Computers : The two computers had been assigned, one to Susan Watt to compile the Leader bids and one to the Brownies. Clerk to ask WCC if we could have another one for the nursery at the school.

Section 137 applications: final prompt to go in Parish News

Bus Shelter on St Chads Road: our request to move it to Mallory Road has been outstanding since October. Cllr Doody agreed to pursue the matter at WDC.

WG Representation: Clerk to circulate the responses from Whitnash and Warwick Town Councils for consideration and discussion at June PC meeting. In the meantime Clerk to write to both Clerks cc. John Garrett to arrange a meeting, Cllr A Warner and Doody to liaise on dates & inform Clerk along with suggested agenda. Ideally the meeting would compromise three representatives of each Parish/Town Council and WG Residents Assoc. A Chairman would be elected at the meeting.

St Chads Church response to PC requirements re. Village Green access: papers had been received, Cllr Deely to consider and approve.

Vacancy for Clerk: Council discussed the recruitment process. WALC had circulated an advert to all local Clerks and put in its newsletter. Three applications received so far and a fourth request. The advert has been placed on notice boards, and it was agreed it should also appear in June's Parish News with a closing date of 12th June. In view of the level of interest already shown, agreed that advertising more widely was not justified. Cllrs Deely and Brookes were nominated to conduct the first round interviews and to set up suitable dates with each candidate. Clerk wishes to finish by the end of May 2010 due to her other commitments. Cllr Day suggested an exit interview with the present Clerk with regards to the demands of the position to allow for budgeting and future shape of the role. This was agreed.

706 WARWICKSHIRE COUNTY COUNCIL MATTERS (CLLR L CABORN)

Safer Smarter Village: Cllr Caborn stated that £30k funding should be confirmed at Cabinet on 27th May and will then be allocated to Graham Stanley. So BTPC can now commence the project. Cllr A Warner expressed her disappointment that people had commented they were not aware of being consulted despite several open meetings at which the options had been discussed.

Safer Route to School: The opening ceremony on 8th May had been enjoyable; Cllr Caborn wanted to thank all involved for organising and attending the event. Cllr Day reported a resident's concern re. the last section of the cycle path up to Othello Ave which is crushed stone so problematic in bad weather. Cllr Caborn to see what can be done.

Termination of Bus Service No. 235: Cllr Caborn reported WCC response to the residents letter. There was no consultation. He is to take this forward with the County.

Any Other matters: The tragic crash involving Johnsons School bus in Hatton this week had brought out best possible response from County services; counselling was being provided.

707 WARWICK DISTRICT COUNCIL MATTERS (CLLR M DOODY)

(Cllr Loveday left the meeting for 10 minutes at this point).

Warwick Gates Residents Assoc: nothing happening.

Waste bin for BMX track: the bin has been agreed and awaiting response from SITA re. emptying.

Harbury Lane Recreation Centre: The relevant department head had been asked about its running costs and usage.. A working party has been established to review local sports facilities and Cllr Doody had put his name forward to be a member.

A serious parking problem had arisen on a recent Sunday; the barrier had been closed, so cars were parked dangerously on the verge of Harbury Lane. Cllr Day made the point that at the time this facility was up for Planning Approval the PC put forward representations but these have never been addressed.

708 LOCALITIES FORUM / MATTERS TO & FROM THE POLICE

Cllr Brookes and a member of Residents Action Committee had been to the Forum on 19th April; it was not otherwise a well attended meeting.

Jenny Clayton had given a presentation re. concurrent services payments; Winter gritting routes were also discussed. BT's policing priority has been switched from anti-social behaviour to speeding on OWR. Cllr Brookes to circulate the action points issued by Jane Coates.

Next meeting is 29th July.

Councillors heard that PCSO Nathan Parry-Hall is moving on and to be replaced by PCSO Ellie Jones on 1st June. The general feeling was that Nathan had done a good job for the parish. Clerk to write to acknowledge thanks and appreciation with copy to District Commander. Continuity has been important and we hope replacement will have opportunity to remain in the parish long term.

709 ST CHAD'S CENTRE

The Parish Poll held on 15th April had shown 240 voters opposed the PC's decision to make a financial grant to the building to the St Chads Centre, and 171 supported. The Clerk had received an Email from WDC with these numbers, but no written confirmation.

The result of the poll is not binding on the Parish Council, so the Chairman asked for councillors comments. Cllrs A Warner and Day reported on complaints they had received on the difficulty some people had experienced in being able to vote. With no Registration Cards being issued, there was confusion about which polling station people should go to. There were also concerns as some voters had been turned away as they were informed they were not within the boundary. Cllr A Warner to forward exact details to the Clerk to write to WDC.

Cllr Deely commented on the low turnout, at only 21% of registered electors in the parish. In the lead up to the poll it was well publicised by both the PC and campaigners against the issue. So the PC could assume that this is not a big issue for the majority of the parish, and that with only 12% objecting it could be assumed people either support the Council's decision positively or do not object to the grant to the Centre going ahead. Cllr Brookes conveyed his views on the level of response in comparison to other issues of consultation in the past. He felt strongly that a message has been given and the PC should think about it much more carefully before proceeding.

Cllr Day commented that a quarter of the people who live in the parish are children too young to vote and the PC were elected to represent the whole parish.

Cllr A Warner felt that the poll was well publicised, but 80% of people didn't bother saying anything, and so had not come out and supported the PC as requested in the leaflet.

Cllr R Warner commented that the PC had been asked to add £50,000 to the funds in place and she requested that the PC look further at the PCC finances for the project. The Chairman commented that PC funds would only be passed across if the PC's conditions were met.

The Clerk tabled 5 letters from groups expressing support for the Centre, that they would use it and would see it helping their organisations to prosper.

Cllr Brookes now proposed the motion that the PC rescind its letter of understanding to the PCC and the offer of £50,000; seconded by Cllr R Warner. The Chairman commented that several of the previous PC projects had met opposition and if a decision had been taken on the basis of a poll, the parish would not have many of the facilities it now has. The motion was then voted - two Councillors were in favour, six voted against and one abstained.

RESOLVED: The motion was lost, so the Council's decision taken in January stands.

710 SCHOOL MATTERS (AMANDA SMITH)

The Clerk read out a letter from Amanda; she was stepping down and Council will welcome Michelle Robertson in future.

Cllr A Warner had circulated the minutes of the school bus meeting. It was felt that this should be a 'community' response not lead by County or Parish Council; there was a lack of appreciation of the importance of the bus service, both to the school and for families living on WG. It was agreed that the Residents Action Group / Parish Plan group could become involved and include it as an item in the Parish Plan questionnaire.

Cllr Caborn noted that local money was being ploughed back into the school development, but this is not common knowledge. He commented that a successful school has a key part to play in the future of the community.

711 CAWP (Cllr Day)

Litter Bin on Othello Ave: the site by the notice board has been agreed. Cllr Doody to progress approval by WDC to empty. RESOLVED: the PC will fund the cost of the bin if necessary.

Warwickshire LEADER: Cllr Day to invite Susan Watt to attend June's PC meeting to present her proposals on two projects for which bids have been submitted.

Footpath from Meadow to OWR: Cllr Tallett had arranged for three posts to be installed next week to encourage cyclists to dismount at this narrow section.

712 PLANNING (Cllr Brookes)

Core Strategy: BT's submission is now on the website.

Housing Needs Survey: a few small areas of land have been identified. Next agenda.
Parish Plan: due to time constraints this to be held over to next agenda.
Planning Cttee: minutes of 4th May were noted
WDC Proposals to Save Warwick District Local Plan Policies: Clerk to circulate details.
WDC notification of Enforcement Appeal Greys Mallory 30th June: noted.

713 FINANCIAL ADMINISTRATION

Bank Balances: £54090.16 current / £18177.22 investment / £5017.16 youth fund
Noted cheque received from S&SC for 50% cost of de-moling on the Meadow & further income
£3000 WRWCF for VAS signs & £19399.50 WDC which is half of the annual precept
£14879.50 and the full concurrent annual services payment of £4520.
PC considered & approved end of year bank reconciliation. Authority given to Chairman to sign
annual return upon receipt of internal audit report.
Resolved: agreed payment of the following accounts:

Clerks May salary & Exps	£558.98
Meadow clearing May: Alpha Tachbrook	£20.00
Website Maintenance May: Heaths Creative	£176.25
April Meadow cutting: Michael Mann x 2 cuts	£72.00
March & April Parish mowing: Anthony Buckingham	£265.00
Hall Hire May and June meetings: BT Primary School	£42.50
PC leaflets for Parish Poll: Cadman Printers	£148.00
Summer Term Hall Hire Youth Club: BT Primary School	£280.00
TOTAL	£1562.73

714 BLUE BOX / CORRESPONDENCE

CPRE AGM papers / Various publications in blue box.

715 ANY OTHER BUSINESS

None.

716 DATE / VENUE OF NEXT MEETINGS:

CAWP Mon 7th June 8pm; Plg Cttee Tues 8th June 8.30pm both in Tower Room.
Full PC Thurs 17th June BTPS 7.30pm.

The Local Authorities (Model Code of Conduct) (England)
Order 2007

Notification by a Parish Councillor
of Financial and Other Interests

I, ANDREW JOHN WILLIAM DAY

a Member of BISHOP'S TACHBROOK Parish Council ("the Authority")
hereby register that I have the following interests (*please state "None" where appropriate*):

(1) Any employment or business carried on by me:

FUNDRAISING CONSULTANT

(2) The name of any person or body who employs or has appointed me:

COMPTON FUNDRAISING CONSULTANTS LTD
COMPTON HOUSE
HIGH ST.
HARBURY
CV33 9HW

(3) The name of any person, other than a relevant authority, who has made a payment to me in respect of my election or any expenses incurred by me in carrying out my duties:

NONE

(4) The name of any person or body who has a place of business or land in the Authority's area, and in whom I have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000, or one hundredth of the total issued share capital:

NONE

- (5) A description of any contract for goods, services or works made between the Authority and me or a firm in which I am a partner, a company of which I am a remunerated director, or a person or body of the description in (4) above:

NONE

- (6) The name of any person or body from whom I have received a gift or hospitality with an estimated value of at least £25:

NONE

- (7) A description of any contract for goods, services or works made between the Authority and myself or a firm in which I am a partner, a company of which I am a remunerated director, or a person or body of the description specified in (4) above:

NONE

- (8) The address or other description (sufficient to identify the location) of any land in which I have a beneficial interest and which is in the area of the Authority:

SAVAGES HOUSE, SAVAGES CLOVE BISHOP'S TALHBROOK
LV33 9RL

- (9) The address or other description (sufficient to identify the location) of any land where the landlord is the Authority and I, or a firm in which I am a partner, a company of which I am a remunerated director, or a body of the description specified in (4) above is the tenant:

GARDEN COTTAGE, SAVAGES CLOVE BISHOP'S TALHBROOK
CV33 9RL

- (10) The address of any land in the Authority's area for which I have a licence (alone or jointly with others) to occupy for 28 days or longer:

NONE

- (11) I am a member or hold a position of general control or management of the following bodies to which I have been appointed or nominated by the Authority:

CHAIR, COMMUNICATIONS / AMENITIES WORKING PARTY

(12) I am a member or hold a position of general control or management of the following bodies exercising functions of a public nature:

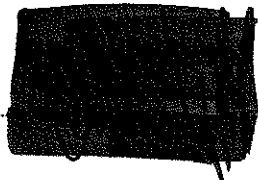
NONE

(13) I am a member, or hold a position of general control or management, of the following bodies that are directed to charitable purposes:

MEMBER, ST. CHAD'S CHURCH, PCC
TRUSTEE, WORLD HORSE WELFARE
CHAIR, CERTIFIED FUND RAISING, EXECUTIVE
CREDENTIALING BOARD.

(14) I am a member, or hold a position of general control or management, of the following bodies, one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union):

NONE

Date: 5th August 2009 Signed: 

NOTE: - A member must within 28 days of becoming aware of any change to the interests specified above, provide written notification of that change to the Monitoring Officer Warwick District Council.

**The Local Authorities (Model Code of Conduct) (England)
Order 2007**

**Notification by a Parish Councillor
of Financial and Other Interests**

I, GRAHAM LEEKE

a Member of Bishop's Tachbrook Parish Council ("the Authority")
hereby register that I have the following interests (*please state "None" where appropriate*):

(1) Any employment or business carried on by me:

RETIRED

(2) The name of any person or body who employs or has appointed me:

NONE

(3) The name of any person, other than a relevant authority, who has made a payment to me in respect of my election or any expenses incurred by me in carrying out my duties:

NONE

(4) The name of any person or body who has a place of business or land in the Authority's area, and in whom I have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000, or one hundredth of the total issued share capital:

NONE

- (5) A description of any contract for goods, services or works made between the Authority and me or a firm in which I am a partner, a company of which I am a remunerated director, or a person or body of the description in (4) above:

NONE

- (6) The name of any person or body from whom I have received a gift or hospitality with an estimated value of at least £25:

NONE

- (7) A description of any contract for goods, services or works made between the Authority and myself or a firm in which I am a partner, a company of which I am a remunerated director, or a person or body of the description specified in (4) above:

NONE

- (8) The address or other description (sufficient to identify the location) of any land in which I have a beneficial interest and which is in the area of the Authority:

House and garden at The Grove
Oakley Wood Road

Field of 3 acres immediately adjoining The Grove

- (9) The address or other description (sufficient to identify the location) of any land where the landlord is the Authority and I, or a firm in which I am a partner, a company of which I am a remunerated director, or a body of the description specified in (4) above is the tenant:

NONE

- (10) The address of any land in the Authority's area for which I have a licence (alone or jointly with others) to occupy for 28 days or longer:

NONE

- (11) I am a member or hold a position of general control or management of the following bodies to which I have been appointed or nominated by the Authority:

NONE

(12) I am a member or hold a position of general control or management of the following bodies exercising functions of a public nature:

~~NONE~~ CHAIRMAN OF
FRIENDS OF OAKLEY WOOD

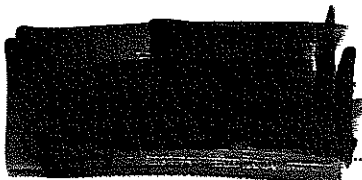
(13) I am a member, or hold a position of general control or management, of the following bodies that are directed to charitable purposes:

CHAIRMAN OF BISHOP'S TRENTHAM
HISTORY GROUP

(14) I am a member, or hold a position of general control or management, of the following bodies, one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union):

NONE

Date:



Signed:

14 Dec 2009

NOTE: - A member must within 28 days of becoming aware of any change to the interests specified above, provide written notification of that change to the Monitoring Officer Warwick District Council.



St Chad's Church P.C.C. Bishop's Tachbrook
Secretary Melissa Odling
15 St Chad's Road
Bishop's Tachbrook
CV33 9RB

23rd October 2011

Dear Mr Oliver,

STANDARDS INVESTIGATION - BISHOPS TACHBROOK PARISH COUNCIL
Your ref: POLI/poli/W25117

With reference to your letter to Rev Scrivens dated 3rd October 2011 I have been asked to respond on behalf of the PCC.

[REDACTED]

Graham Leeke was last a member of St Chad's Parochial Church Council approximately 10 years ago - exact dates have not been established at this time. His wife, Vera Leeke, has held the position of St Chad's Parochial Church Council Treasurer since January 2010.

Andrew Day has been a member of St Chad's Parochial Church Council for approximately 10 years and since April 2011 has held the position of Church Warden. We have no record of any of his family members having held a position within the Church's organisation.

I hope that answers all of your questions for your investigation but if you require further information please let me know.

Yours sincerely,

[REDACTED]

Melissa Odling
PCC Secretary

RECEIVED
27 OCT 2011
Warwickshire County Council
Resources Group

Peter Oliver/CL/WarksCC

From: Corinne Hill <parishclerk85@btinternet.com>
Sent: 15 November 2011 10:45
To: peteroliver@warwickshire.gov.uk
Subject: Re: Code of Conduct investigation - In confidence

Dear Mr. Oliver,

I believe you are aware that I was only appointed clerk to Bishops Tachbrook Parish Council on 1st July 2010 and assumed that the 2007 Acceptance of Office forms were completed and a copy filed with the District Council. I have never seen copies but we do have a place where papers are stored and so I can try and find them. 2011 forms are completed.

With regard to the Code of Conduct I have not looked through the previous minutes to establish when it was adopted but since after 1st October 2007 I understand Councils were automatically covered by it I didn't see this as an issue. I explained paragraph 12(2) to councillors and asked if they had adopted it. I also circulated the Code of Conduct booklet to councillors to make them aware of the code and paragraph 12(2). I was told verbally that it had been adopted and since there was a considerable amount of publicity around adopting it and I knew that the previous clerk was quite experienced saw no reason to investigate further. I can assure you that we now have new Standing Orders, I have copies of acceptance forms and councillors have been made aware of the importance of the Code of Conduct.

I apologise for not being able to supply the information requested promptly but will check the storage facility later this week. If I can be of any further assistance please contact me.

Regards,
Corinne Hill
Parish Clerk
Bishops Tachbrook Parish Council

From: "peteroliver@warwickshire.gov.uk" <peteroliver@warwickshire.gov.uk>
To: parishclerk85@btinternet.com
Sent: Monday, 14 November, 2011 16:35:29
Subject: Code of Conduct investigation - In confidence

Dear Corinne,

As I think you may know, Warwick District Council asked me to carry out the investigation into the complaint by Mr. Norris against Councillors Day, [REDACTED] and Leeke. I have seen the information which you sent to Graham Leach on 27 April.

I should be grateful if you could provide me with the following information:

- a copy of the Bishop's Tachbrook Parish Council Code of Conduct, or confirmation that the council adopted the model code without amendment
- the date on which the council adopted the latest version of the code
- copies of the declarations of acceptance of office completed by Councillors Day, [REDACTED] and Leeke which were current during 2010. I assume these would be the ones they would have completed after the 2007 elections. I imagine they will have

completed new ones following the elections in May this year, but those will post-date the matters I am investigating.

Please do not hesitate to contact me if you have any questions.

Regards,

Peter Oliver
Senior Solicitor and Joint Environment Team Leader
Community & Environment
Law and Governance
Resources Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4RR

Tel: 01926-418171
email: peteroliver@warwickshire.gov.uk

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Peter Oliver/CL/WarksCC

From: Corinne Hill <parishclerk85@btinternet.com>
Sent: 22 November 2011 13:18
To: "peteroliver@warwickshire.gov.uk" <peteroliver@warwickshire.gov.uk>
Subject: Re: Code of Conduct Investigation

Dear Mr. Oliver,

The minutes of 20th May 2010, which I forwarded to Graham Leach and you have attached to your email, are not signed. However, the minutes of 17th June 2010 which approved the 20th May minutes are signed. This file of minutes is the one that was handed to me by the previous clerk as the minute file.

I hope this helps.

Regards,
Corinne Hill
Parish Clerk
Bishops Tachbrook

From: "peteroliver@warwickshire.gov.uk" <peteroliver@warwickshire.gov.uk>
To: parishclerk85@btinternet.com
Sent: Tuesday, 22 November 2011, 11:13
Subject: Code of Conduct Investigation

Dear Corinne,

I'm sorry to have to bother you again, particularly as I appreciate that my question relates to the period before you became Parish Clerk.

The question is this. I have a copy of the minutes of the Parish Council meeting on 20 May 2010, which you originally sent to Graham Leach, and which he forwarded on to me. For ease of reference, I have attached a copy to this email. I should be grateful if you could confirm from the Council records that these minutes were approved at a subsequent meeting as a correct record, and signed as such.

Many thanks for your help

Kind regards,

Peter Oliver
Senior Solicitor and Joint Environment Team Leader
Community & Environment
Law and Governance
Resources Group
Warwickshire County Council
Shire Hall
Warwick
CV34 4RR

Tel: 01926-418171
email: peteroliver@warwickshire.gov.uk

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1005

..... 2011

Draft (3):
[18.04.11]

The St Chads Centre Trust Company

The Companies Act 2006

Articles of Association for a company limited by guarantee

Wright Hassall LLP
Olympus Avenue
Leamington Spa
Warwickshire
CV34 6BF

Tel: 01926 886688
Fax: 01926 885588
Email: keith.ainsworth@wrighthassall.co.uk

NAME

The company's name is The St Chads Centre Trust Company (and in this document it is called the "Charity").

INTERPRETATION

1. In these articles:

"Address"	means a postal address or, for the purposes of electronic communication, a fax number, an e-mail or postal address or a telephone number for receiving text messages in each case registered with the Charity;
"Articles"	means these articles of association;
"Charity"	means the company intended to be regulated by the Articles;
"Clear Days"	in relation to the period of a notice means a period excluding: (i) the day when the notice is given or deemed to be given; and (ii) the day for which it is given or on which it is to take effect;
"Commission"	means the Charity Commission for England and Wales;
"Companies Acts"	means the Companies Acts (as defined in section 2 of the Companies Act 2006) insofar as they apply to the Charity;
"Directors"	means the directors of the Charity from time to time, who are also Charity Trustees as defined by section 97 of the Charities Act 1993;
"Document"	includes, unless otherwise specified, any document sent or supplied in electronic form;
"Electronic form"	has the meaning given in section 1168 of the Companies Act 2006;
"Memorandum"	means the Charity's memorandum of association;
"Officers"	includes the directors and the secretary (if any);
"Parish Council"	means the Parish Council of Bishops Tachbrook, Warwickshire;
"PCC"	means the Parochial Church Council for the Parish of Bishops Tachbrook in the Diocese of Coventry;
"Seal"	means the common seal of the Charity if it has one;
"Secretary"	means any person appointed to perform the duties of the secretary of the Charity;
"United Kingdom"	means Great Britain and Northern Ireland; and

words importing one gender shall include all genders, and the singular includes the plural and vice versa.

Unless the context otherwise requires words or expressions contained in the articles have the same meaning as in the Companies Acts but excluding any statutory modification not in force when this constitution becomes binding on the Charity.

Apart from the exception mentioned in the previous paragraph a reference to an Act of Parliament includes any statutory modification or re-enactment of it for the time being in force.

LIABILITY OF MEMBERS

2.

- 2.1 The liability of the members is limited.
- 2.2 Every member of the Charity promises and shall, if the Charity is dissolved while he or she or it is a member or within twelve months after he or she or it ceases to be a member, to contribute such sum (not exceeding £1) as may be demanded of him or her or it towards the payment of the debts and liabilities of the Charity incurred before he or she or it ceases to be a member, and of the costs charges and expenses of winding up, and the adjustment of the rights of the contributories among themselves.

OBJECTS

3. The Charity's objects ("**Objects**") are specifically restricted to the following:
 - 3.1 The design, construction, development, commissioning and acquisition of a new community and parish centre to be called the "St Chads Centre" (the '**Centre**') at Church Hill, Bishop's Tachbrook, Warwickshire;
 - 3.2 The management, operation and maintenance of the Centre for the benefit of the residents of Bishop's Tachbrook and surrounding locality and other charities and not-for-profit organisations operating within such locality; and
 - 3.3 Making donations to charities who are regular users of the Centre for the furtherance of their charitable activities.

POWERS

4. The Charity has power to do anything which is calculated to further its Object(s) or is conducive or incidental to doing so. In particular, the Charity has power:
 - 4.1 to raise funds. In doing so, the Charity must not undertake any substantial permanent trading activity and must comply with any relevant statutory regulations;
 - 4.2 to accept any gifts, subscriptions, donations, devises and bequests of money, property or other assets, whether subject to any special trust or not, for any one or more of the Objects;

- 4.3 to foster, design, prepare, organise and undertake research projects and programmes into any aspects of the objects of the Charity and its work and to publish, promote and disseminate the results of any such research;
- 4.4 to promote any private Act of Parliament or other authority to enable the Charity to carry on its activities, alter its constitution or achieve any other purpose which may promote the Charity's interests, and to oppose or object to any application or proceedings which may prejudice the Charity's interests;
- 4.5 to enter into any arrangement with The Church Commissioners, the Diocese of Coventry and/or any other organisation, government or authority which may be advantageous for the purposes of the activities of the Charity (including any joint venture, development agreement or development lease) and to obtain from any such organisation, government or authority any charter, right, privilege or concession;
- 4.6 to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip or alter it for use;
- 4.7 to sell, lease or otherwise dispose of all or any part of the property belonging to the Charity. In exercising this power, the Charity must comply as appropriate with sections 36 and 37 of the Charities Act 1993, as amended by the Charities Act 2006;
- 4.8 to improve, manage, construct, repair, develop, exchange, grant licences, rights and privileges in respect of the property belonging to the Charity;
- 4.9 to borrow money and to charge the whole or any part of the property belonging to the Charity as security for repayment of the money borrowed or as security for a grant or the discharge of an obligation. The Charity must comply as appropriate with sections 38 and 39 of the Charities Act 1993, as amended by the Charities Act 2006, if it wishes to mortgage land;
- 4.10 to draw, make, accept, endorse, discount, execute and issue promissory notes, bills, cheques and other instruments, and to operate bank accounts;
- 4.11 to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them and enter in arrangements with them;
- 4.12 to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the Objects;
- 4.13 to make any charitable donation either in cash or assets for the furtherance of the Objects;
- 4.14 to acquire, merge with or to enter into any partnership or joint venture arrangement with any other Charity;

- 4.15 to amalgamate with any companies, institutions, societies or associations which are charitable at law and have objects altogether or mainly similar to those of the Charity and prohibit the payment of any dividend or profit to and the distribution of any of their assets amongst their members at least to the extent as such payments or distributions are prohibited in the case of members of the Charity by these articles;
- 4.16 to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
- 4.17 to employ and remunerate such staff as are necessary for carrying out the work of the Charity. The Charity may employ or remunerate a director only to the extent it is permitted to do so by article 5 and provided it complies with the conditions in that article;
- 4.18 to pay reasonable annual sums or premiums for or towards the provision of pensions for the staff for the time being of the Charity or their dependents;
- 4.19 to:
 - 4.19.1 deposit or invest funds;
 - 4.19.2 employ a professional fund-manager; and
 - 4.19.3 arrange for the investments or other property of the Charity to be held in the name of a nominee;
 - 4.19.4 in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;
- 4.20 to effect insurance against risks of all kinds including indemnity insurance for the directors in accordance with, and subject to the conditions in, section 73F of the Charities Act 1993;
- 4.21 subject to the restrictions relating to connected persons contained in article 5, to enter into guarantees, contracts of indemnity and suretyships of all kinds in favour of third parties;
- 4.22 to take such steps (by way of personal or written appeals, lotteries, public meetings or otherwise) as may be deemed expedient for the purpose of procuring contributions to the funds of the Charity, whether by way of subscription, grant, loans, donations or otherwise;
- 4.23 to pay out of the funds of the Charity the costs of forming and registering the Charity both as a company and as a Charity;
- 4.24 to do all such other lawful things as are necessary for the achievement of the Objects.

APPLICATION OF INCOME AND PROPERTY

UNIVERSAL CLAUSES

5.

5.1 The income and property of the Charity shall be applied solely towards the promotion of the Objects.

5.2

5.2.1 A director is entitled to be reimbursed from the property of the Charity or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the Charity.

5.2.2 A director may benefit from trustee indemnity insurance cover purchased at the Charity's expense in accordance with, and subject to the conditions in, section 73F of the Charities Act 1993.

5.2.3 A director may receive an indemnity from the Charity in the circumstances specified in article 60.

5.3 None of the income or property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. This does not prevent a member who is not also a director receiving:

5.3.1 a benefit from the Charity in the capacity of a beneficiary of the Charity;

5.3.2 reasonable and proper remuneration for any goods or services supplied to the Charity.

6. Directors' benefits

6.1 No director or connected person may:

6.1.1 buy any goods or services from the Charity on terms preferential to those applicable to members of the public;

6.1.2 sell goods, services, or any interest in land to the Charity;

6.1.3 be employed by, or receive any remuneration from, the Charity;

6.1.4 receive any other financial benefit from the Charity; unless:

(a) the payment is permitted by article 6.2; or

(b) the directors obtain the prior written approval of the Commission and fully comply with any procedures it prescribes.

- 6.2 A director or connected person may:
- 6.2.1 receive a benefit from the Charity in the capacity of a beneficiary of the Charity and make use of the Centre on the same basis and terms as any other person;
 - 6.2.2 enter into a contract for the supply of services, or of goods that are supplied in connection with the provision of services, to the Charity where that is permitted in accordance with, and subject to the conditions in, section 73A to 73C of the Charities Act 1993;
 - 6.2.3 Subject to article 7.1, provide the Charity with goods that are not supplied in connection with services provided to the Charity by the director or connected person; and
 - 6.2.4 take part in the normal trading and fundraising activities of the Charity on the same terms as members of the public.
- 6.3 The directors may arrange for the purchase, out of the funds of the Charity, of insurance designed to indemnify the directors in accordance with the terms of, and subject to the conditions in, section 73F of the Charities Act 1993.

7. Payment for supply of goods only - controls

- 7.1 The Charity and its directors may only rely upon the authority provided by article 6.2.3 if each of the following conditions is satisfied:
- 7.1.1 The amount or maximum amount of the payment for the goods is set out in an agreement in writing between:
 - (a) the Charity or its directors (as the case may be); and
 - (b) the director or connected person supplying the goods ("the supplier") under which the supplier is to supply the goods in question to or on behalf of the Charity.
 - 7.1.2 The amount or maximum amount of the payment for the goods does not exceed what is reasonable in the circumstances for the supply of the goods in question.
 - 7.1.3 The other directors are satisfied that it is in the best interests of the Charity to contract with the supplier rather than with someone who is not a director or connected person. In reaching that decision the directors must balance the advantage of contracting with a director or connected person against the disadvantages of doing so.
 - 7.1.4 The supplier is absent from the part of any meeting at which there is discussion of the proposal to enter into a contract or arrangement with him or her or it with regard to the supply of goods to the Charity.

- 7.1.5 The supplier does not vote on any such matter and is not to be counted when calculating whether a quorum of directors is present at the meeting.
- 7.1.6 The reason for their decision is recorded by the directors in the minute book.
- 7.1.7 A majority of the directors then in office are not in receipt of remuneration or payments authorised by article 7.1.

7.2

7.2.1 In articles 5.2 to 7.1 "Charity" shall include any company or other entity in which the Charity:

- (a) holds more than 50% of the shares; or
- (b) controls more than 50% of the voting rights attached to the shares; or
- (c) has the right to appoint one or more directors to the board of the company;

7.2.2 In articles 6, 7, 49.2 and 50.2 "connected person" means:

- (a) a child, parent, grandchild, grandparent, brother or sister of the director;
- (b) the spouse or civil partner of the director or of any person falling within paragraph (a) above;
- (c) a person carrying on business in partnership with the director or with any person falling within paragraph (a) or (b) above;
- (d) an institution which is controlled:
 - (i) by the director or any connected person falling within paragraph (a), (b), or (c) above; or
 - (ii) by two or more persons falling within sub-paragraph (i), when taken together
- (e) a body corporate in which:
 - (i) the director or any connected person falling within paragraphs (a) to (c) has a substantial interest; or
 - (ii) two or more persons falling within sub-paragraph (i) who, when taken together, have a substantial interest.

7.2.3 Paragraphs 2 to 4 of Schedule 5 to the Charities Act 1993 apply for the purposes of interpreting the terms used in this sub-clause.

MEMBERS

8. 8.1 The subscribers to the memorandum are the first members of the Charity.
- 8.2 Membership is open to other individuals or organisations who:
- 8.2.1 are individuals resident within the parish of Bishops Tachbrook, Warwickshire or entitled to vote in elections for members of the Parish Council or the PCC;
 - 8.2.2 organisations located within Bishops Tachbrook or who perform a significant number of functions within Bishops Tachbrook (the determination of whether or not such functions are a "significant number" being solely for the determination of the directors in their discretion);
 - 8.2.3 apply to the Charity in the form required by the directors; and
 - 8.2.4 are approved by the directors.
- 8.3
- 8.3.1 The directors may only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
 - 8.3.2 The directors must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision.
 - 8.3.3 The directors must consider any written representations the applicant may make about the decision. The directors' decision following any written representations must be notified to the applicant in writing but shall be final.
- 8.4 Membership is not transferable.
- 8.5 The directors must keep a register of names and addresses of the members.
- 8.6 This article 8 may not be varied, supplemented or replaced without the prior written consent of both the Parish Council and the PCC.

CLASSES OF MEMBERSHIP

9. 9.1 The directors may establish classes of membership with different rights and obligations and shall record the rights and obligations in the register of members.

- 9.2 The directors may not directly or indirectly alter the rights or obligations attached to a class of membership.
- 9.3 The rights attached to a class of membership may only be varied if:
 - 9.3.1 three-quarters of the members of that class consent in writing to the variation; or
 - 9.3.2 a special resolution is passed at a separate general meeting of the members of that class agreeing to the variation.
- 9.4 The provisions in the articles about general meetings shall apply to any meeting relating to the variation of the rights of any class of members.

TERMINATION OF MEMBERSHIP

- 10. Membership is terminated if:
 - 10.1 the member dies or, if it is an organisation, ceases to exist;
 - 10.2 the member resigns by written notice to the Charity unless, after the resignation, there would be less than two members;
 - 10.3 any sum due from the member to the Charity is not paid in full within six months of it falling due;
 - 10.4 the member is removed from membership by a resolution of the directors that it is in the best interests of the Charity that his or her or its membership is terminated. A resolution to remove a member from membership may only be passed if:
 - 10.4.1 the member has been given at least twenty-one days' notice in writing of the meeting of the directors at which the resolution will be proposed and the reasons why it is to be proposed;
 - 10.4.2 the member or, at the option of the member, the member's representative (who need not be a member of the Charity) has been allowed to make representations to the meeting.

GENERAL MEETINGS

- 11.
 - 11.1 The Charity must hold its first annual general meeting within eighteen months after the date of its incorporation.
 - 11.2 An annual general meeting must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.
- 12. The directors may call a general meeting at any time.

NOTICE OF GENERAL MEETINGS

13. 13.1 The minimum periods of notice required to hold a general meeting of the Charity are:
- 13.1.1 twenty-one clear days for an annual general meeting or a general meeting called for the passing of a special resolution;
- 13.1.2 fourteen clear days for all other general meetings.
- 13.2 A general meeting may be called by shorter notice if it is so agreed by a majority in number of members having a right to attend and vote at the meeting, being a majority who together hold not less than 90 percent of the total voting rights.
- 13.3 The notice must specify the date time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so. The notice must also contain a statement setting out the right of members to appoint a proxy under section 324 of the Companies Act 2006 and article 20.
- 13.4 The notice must be given to all the members and to the directors and auditors.
14. The proceedings at a meeting shall not be invalidated because a person who was entitled to receive notice of the meeting did not receive it because of an accidental omission by the Charity.

PROCEEDINGS AT GENERAL MEETINGS

15. 15.1 No business shall be transacted at any general meeting unless a quorum is present.
- 15.2 A quorum is:
- 15.2.1 3 members present in person or by proxy and entitled to vote upon the business to be conducted at the meeting; or
- 15.2.2 one tenth of the total membership at the time, whichever is the greater.
- 15.3 The authorised representative of a member organisation shall be counted in the quorum.
16. 16.1 If:
- 16.1.1 a quorum is not present within half an hour from the time appointed for the meeting; or
- 16.1.2 during a meeting a quorum ceases to be present;

- 16.1.3 the meeting shall be adjourned to such time and place as the directors shall determine.
- 16.2 The directors must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.
- 16.3 If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the members present in person or by proxy at that time shall constitute the quorum for that meeting.
17. 17.1 General meetings shall be chaired by the person who has been appointed to chair meetings of the directors.
- 17.2 If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a director nominated by the directors shall chair the meeting.
- 17.3 If there is only one director present and willing to act, he or she shall chair the meeting.
- 17.4 If no director is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present in person or by proxy and entitled to vote must choose one of their number to chair the meeting.
18. 18.1 The members present in person or by proxy at a meeting may resolve by ordinary resolution that the meeting shall be adjourned.
- 18.2 The person who is chairing the meeting must decide the date, time and place at which the meeting is to be reconvened unless those details are specified in the resolution.
- 18.3 No business shall be conducted at a reconvened meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- 18.4 If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date, time and place of the meeting.
19. 19.1 Any vote at a meeting shall be decided by a show of hands unless before, or on the declaration of the result of, the show of hands a poll is demanded:
- 19.1.1 by the person chairing the meeting; or
- 19.1.2 by at least two members present in person or by proxy and having the right to vote at the meeting; or

19.1.3 by a member or members present in person or by proxy representing not less than one-tenth of the total voting rights of all the members having the right to vote at the meeting.

19.2

19.2.1 The declaration by the person who is chairing the meeting of the result of a vote shall be conclusive unless a poll is demanded.

19.2.2 The result of the vote must be recorded in the minutes of the Charity but the number or proportion of votes cast need not be recorded.

19.3

19.3.1 A demand for a poll may be withdrawn, before the poll is taken, but only with the consent of the person who is chairing the meeting.

19.3.2 If the demand for a poll is withdrawn the demand shall not invalidate the result of a show of hands declared before the demand was made.

19.4

19.4.1 A poll must be taken as the person who is chairing the meeting directs, who may appoint scrutineers (who need not be members) and who may fix a time and place for declaring the results of the poll.

19.4.2 The result of the poll shall be deemed to be the resolution of the meeting at which the poll is demanded.

19.5

19.5.1 A poll demanded on the election of a person to chair a meeting or on a question of adjournment must be taken immediately.

19.5.2 A poll demanded on any other question must be taken either immediately or at such time and place as the person who is chairing the meeting directs.

19.5.3 The poll must be taken within thirty days after it has been demanded.

19.5.4 If the poll is not taken immediately at least seven clear days' notice shall be given specifying the time and place at which the poll is to be taken.

19.5.5 If a poll is demanded the meeting may continue to deal with any other business that may be conducted at the meeting.

CONTENT OF PROXY NOTICES

20. 20.1 Proxies may only validly be appointed by a notice in writing (a "**proxy notice**") which:
- 20.1.1 states the name and address of the member appointing the proxy;
 - 20.1.2 identifies the person appointed to be that member's proxy and the general meeting in relation to which that person is appointed;
 - 20.1.3 is signed by or on behalf of the member appointing the proxy, or is authenticated in such manner as the directors may determine; and
 - 20.1.4 is delivered to the Charity in accordance with the articles and any instructions contained in the notice of the general meeting to which they relate.
- 20.2 The Charity may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.
- 20.3 Proxy notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.
- 20.4 Unless a proxy notice indicates otherwise, it must be treated as:
- 20.4.1 allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting; and
 - 20.4.2 appointing that person as a proxy in relation to any adjournment of the general meeting to which it relates as well as the meeting itself.

DELIVERY OF PROXY NOTICES

21. 21.1 A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a general meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Charity by or on behalf of that person.
- 21.2 An appointment under a proxy notice may be revoked by delivering to the Charity a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
- 21.3 A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.
- 21.4 If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to execute it on the appointer's behalf.

WRITTEN RESOLUTIONS

22. 22.1 A resolution in writing agreed by a simple majority (or in the case of a special resolution by a majority of not less than 75% of the members who would have been entitled to vote upon it had it been proposed at a general meeting) shall be effective provided that:
- 22.1.1 a copy of the proposed resolution has been sent to every eligible member;
- 22.1.2 a simple majority (or in the case of a special resolution a majority of not less than 75%) of members has signified its agreement to the resolution; and
- 22.1.3 it is contained in an authenticated document which has been received at the registered office within the period of 28 days beginning with the circulation date.
- 22.2 A resolution in writing may comprise several copies to which one or more members have signified their agreement.
- 22.3 In the case of a member that is an organisation, its authorised representative may signify its agreement.

VOTES OF MEMBERS

23. Subject to article 9, every member, whether an individual or an organisation, shall have one vote.
24. Any objection to the qualification of any voter must be raised at the meeting at which the vote is tendered and the decision of the person who is chairing the meeting shall be final.
25. 25.1 Any organisation that is a member of the Charity may nominate any person to act as its representative at any meeting of the Charity.
- 25.2 The organisation must give written notice to the Charity of the name of its representative. The representative shall not be entitled to represent the organisation at any meeting unless the notice has been received by the Charity. The representative may continue to represent the organisation until written notice to the contrary is received by the Charity.
- 25.3 Any notice given to the Charity will be conclusive evidence that the representative is entitled to represent the organisation or that his or her authority has been revoked. The Charity shall not be required to consider whether the representative has been properly appointed by the organisation.

DIRECTORS

26. 26.1 A director must be a natural person aged 18 years or older.

- 26.2 No one may be appointed a director if he or she would be disqualified from acting under the provisions of article 40.
27. The number of directors shall be not less than five and (unless otherwise determined by ordinary resolution) shall not be more than nine.
28. The first directors shall be those persons notified to Companies House as the first directors of the Charity.
29. A director may not appoint an alternate director or anyone to act on his or her behalf at meetings of the directors.
30. The PCC and the Parish Council shall each be entitled to appoint three persons to be directors (who may be members of the applicable Council). This article 30 may not be varied, supplemented or replaced without the prior written consent of both the Parish Council and the PCC.

POWERS OF DIRECTORS

31. 31.1 The directors shall manage the business of the Charity and may exercise all the powers of the Charity unless they are subject to any restrictions imposed by the Companies Acts, the articles or any special resolution.
- 31.2 No alteration of the articles or any special resolution shall have retrospective effect to invalidate any prior act of the directors.
- 31.3 Any meeting of directors at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the directors.

RETIREMENT OF DIRECTORS

32. At the first annual general meeting all the directors must retire from office unless by the close of the meeting the members have failed to elect sufficient directors to hold a quorate meeting of the directors. At each subsequent annual general meeting one-half of the directors or, if their number is not an even number, the number nearest to one-half, must retire from office. If there is only one director he or she must retire.
33. 33.1 The directors to retire by rotation shall be those who have been longest in office since their last appointment. If any directors became or were appointed directors on the same day those to retire shall (unless they otherwise agree among themselves) be determined by lot.
- 33.2 If a director is required to retire at an annual general meeting by a provision of the articles the retirement shall take effect upon the conclusion of the meeting.

APPOINTMENT OF DIRECTORS

34. Subject to article 30, the Charity may by ordinary resolution appoint a person who is willing to act to be a director.

35. No person other than a director retiring by rotation or a director being appointed under article 30 may be appointed a director at any general meeting unless:

35.1 he or she is recommended for election by the directors; or

35.2 not less than fourteen nor more than thirty-five clear days before the date of the meeting, the Charity is given a notice that:

35.2.1 is signed by a member entitled to vote at the meeting;

35.2.2 states the member's intention to propose the appointment of a person as a director;

35.2.3 contains the details that, if the person were to be appointed, the Charity would have to file at Companies House; and

35.2.4 is signed by the person who is to be proposed to show his or her willingness to be appointed.

36. No person may be elected a director for more than three consecutive terms unless by the close of the relevant general meeting the members have failed to elect sufficient directors to hold a quorate meeting of the directors

37. All members who are entitled to receive notice of a general meeting must be given not less than seven nor more than twenty-eight clear days' notice of any resolution to be put to the meeting to appoint a director other than a director who is to retire by rotation.

38. 38.1 The directors may appoint a person who is willing to act to be a director.

38.2 A director appointed by a resolution of the other directors must retire at the next annual general meeting and must not be taken into account in determining the directors who are to retire by rotation.

39. The appointment of a director, whether by the Charity in general meeting or by the other directors, must not cause the number of directors to exceed any number fixed as the maximum number of directors.

DISQUALIFICATION AND REMOVAL OF DIRECTORS

40. A director shall cease to hold office if he or she:

40.1 ceases to be a director by virtue of any provision in the Companies Acts or is prohibited by law from being a director;

40.2 is disqualified from acting as a trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);

40.3 ceases to be a member of the Charity;

- 40.4 becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- 40.5 resigns as a director by notice to the Charity (but only if at least two directors will remain in office when the notice of resignation is to take effect); or
- 40.6 is absent without the permission of the directors from all their meetings held within a period of six consecutive months and the directors resolve that his or her office be vacated.

REMUNERATION OF DIRECTORS

- 41. The directors must not be paid any remuneration unless it is authorised by article 5.

PROCEEDINGS OF DIRECTORS

- 42. 42.1 The directors may regulate their proceedings as they think fit, subject to the provisions of the articles.
- 42.2 Any director may call a meeting of the directors.
- 42.3 The secretary (if any) must call a meeting of the directors if requested to do so by a director.
- 42.4 Questions arising at a meeting shall be decided by a majority of votes.
- 42.5 In the case of an equality of votes, the person who is chairing the meeting shall have a second or casting vote.
- 42.6 A meeting may be held by suitable electronic means agreed by the directors in which each participant may communicate with all the other participants.
- 43. 43.1 No decision may be made by a meeting of the directors unless a quorum is present at the time the decision is purported to be made. 'Present' includes being present by suitable electronic means agreed by the directors in which a participant or participants may communicate with all the other participants.
- 43.2 The quorum shall be two or the number nearest to one-third of the total number of directors, whichever is the greater, or such larger number as may be decided from time to time by the directors, provided that no meeting shall be quorate unless at least one director appointed by the PCC and one director appointed by the Parish Council is present.
- 43.3 A director shall not be counted in the quorum present when any decision is made about a matter upon which that director is not entitled to vote.
- 44. If the number of directors is less than the number fixed as the quorum, the continuing directors or director may act only for the purpose of filling vacancies or of calling a general meeting.

45. 45.1 The directors shall appoint a director to chair their meetings and may at any time revoke such appointment.
- 45.2 If no-one has been appointed to chair meetings of the directors or if the person appointed is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the directors present may appoint one of their number to chair that meeting.
- 45.3 The person appointed to chair meetings of the directors shall have no functions or powers except those conferred by the articles or delegated to him or her by the directors.
46. 46.1 A resolution in writing or in electronic form agreed by a simple majority of all the directors entitled to receive notice of a meeting of directors or of a committee of directors and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the directors or (as the case may be) a committee of directors duly convened and held provided that:
- 46.1.1 a copy of the resolution is sent or submitted to all the directors eligible to vote; and
- 46.1.2 a simple majority of directors has signified its agreement to the resolution in an authenticated document or documents which are received at the registered office within the period of 28 days beginning with the circulation date.
- 46.2 The resolution in writing may comprise several documents containing the text of the resolution in like form to each of which one or more directors has signified their agreement.

DELEGATION

47. 47.1 The directors may delegate any of their powers or functions to a committee of two or more directors but the terms of any delegation must be recorded in the minute book.
- 47.2 The directors may impose conditions when delegating, including the conditions that:
- 47.2.1 the relevant powers are to be exercised exclusively by the committee to whom they delegate;
- 47.2.2 no expenditure may be incurred on behalf of the Charity except in accordance with a budget previously agreed with the directors.
- 47.3 The directors may revoke or alter a delegation.
- 47.4 All acts and proceedings of any committees must be fully and promptly reported to the directors.

DECLARATION OF DIRECTORS' INTERESTS

48. A director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Charity or in any transaction or arrangement entered into by the Charity which has not previously been declared. A director must absent himself or herself from any discussions of the directors in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Charity and any personal interest (including but not limited to any personal financial interest).

CONFLICTS OF INTERESTS

49. 49.1 If a conflict of interests arises for a director because of a duty of loyalty owed to another organisation or person and the conflict is not authorised by virtue of any other provision in the articles, the unconflicted directors may authorise such a conflict of interests where the following conditions apply:
- 49.1.1 the conflicted director is absent from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person;
 - 49.1.2 the conflicted director does not vote on any such matter and is not to be counted when considering whether a quorum of directors is present at the meeting; and
 - 49.1.3 the unconflicted directors consider it is in the interests of the Charity to authorise the conflict of interests in the circumstances applying.
- 49.2 In this article a conflict of interests arising because of a duty of loyalty owed to another organisation or person only refers to such a conflict which does not involve a direct or indirect benefit of any nature to a director or to a connected person.

VALIDITY OF DIRECTORS' DECISIONS

50. 50.0 Subject to article 50.2, all acts done by a meeting of directors, or of a committee of directors, shall be valid notwithstanding the participation in any vote of a director:
- 50.0.0 who was disqualified from holding office;
 - 50.0.0 who had previously retired or who had been obliged by the constitution to vacate office;
 - 50.0.0 who was not entitled to vote on the matter, whether by reason of a conflict of interests or otherwise;
 - 50.0.0 if without:
 - 50.0.0 the vote of that director; and

50.0.0 that director being counted in the quorum;

50.0.0 the decision has been made by a majority of the directors at a quorate meeting.

50.0 Article 50.1 does not permit a director or a connected person to keep any benefit that may be conferred upon him or her by a resolution of the directors or of a committee of directors if, but for article 50.1, the resolution would have been void, or if the director has not complied with article 48.

SEAL

51. If the Charity has a seal it must only be used by the authority of the directors or of a committee of directors authorised by the directors. The directors may determine who shall sign any instrument to which the seal is affixed and unless otherwise so determined it shall be signed by a director and by the secretary (if any) or by a second director.

MINUTES

52. The directors must keep minutes of all:

52.1 appointments of officers made by the directors;

52.2 proceedings at meetings of the Charity;

52.3 meetings of the directors and committees of directors including:

52.4 the names of the directors present at the meeting;

52.5 the decisions made at the meetings; and

52.6 where appropriate the reasons for the decisions.

ACCOUNTS

53. 53.1 The directors must prepare for each financial year accounts as required by the Companies Acts. The accounts must be prepared to show a true and fair view and follow accounting standards issued or adopted by the Accounting Standards Board or its successors and adhere to the recommendations of applicable Statements of Recommended Practice.

53.2 The directors must keep accounting records as required by the Companies Acts.

ANNUAL REPORT AND RETURN AND REGISTER OF CHARITIES

54. 54.1 The directors must comply with the requirements of the Charities Act 1993 with regard to the:

54.1.1 transmission of the statements of account to the Charity;

54.1.2 preparation of an Annual Report and its transmission to the Commission

54.1.3 preparation of an Annual Return and its transmission to the Commission.

54.2 The directors must notify the Commission promptly of any changes to the Charity's entry on the Central Register of Charities.

MEANS OF COMMUNICATION TO BE USED

55. 55.1 Subject to the articles, anything sent or supplied by or to the Charity under the articles may be sent or supplied in any way in which the Companies Act 2006 provides for documents or information which are authorised or required by any provision of that Act to be sent or supplied by or to the Charity.

55.2 Subject to the articles, any notice or document to be sent or supplied to a director in connection with the taking of decisions by directors may also be sent or supplied by the means by which that director has asked to be sent or supplied with such notices or documents for the time being.

56. Any notice to be given to or by any person pursuant to the articles:

56.1 must be in writing; or

56.2 must be given in electronic form.

57. 57.1 The Charity may give any notice to a member either:

57.1.1 personally; or

57.1.2 by sending it by post in a prepaid envelope addressed to the member at his or her address; or

57.1.3 by leaving it at the address of the member; or

57.1.4 by giving it in electronic form to the member's address; or

57.1.5 by posting it on any notice board maintained by the Centre and located in or adjacent to the Centre.

57.2 A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.

58. A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.

59. 59.1 Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.

59.2 Proof that an electronic form of notice was given shall be conclusive where the company can demonstrate that it was properly addressed and sent, in accordance with section 1147 of the Companies Act 2006.

59.3 In accordance with section 1147 of the Companies Act 2006 notice shall be deemed to be given:

59.3.1 48 hours after the envelope containing it was posted; or

59.3.2 in the case of an electronic form of communication, 48 hours after it was sent.

INDEMNITY

60. 60.1 The Charity shall indemnify every relevant director against any liability incurred in successfully defending legal proceedings in that capacity, or in connection with any application in which relief is granted by the Court from liability for negligence, default, or breach of duty or breach of trust in relation to the Charity.

60.2 In this article a "relevant director" means any director or former director of the Charity.

RULES

61. 61.1 The directors may from time to time make such reasonable and proper rules or bye laws as they may deem necessary or expedient for the proper conduct and management of the Charity.

61.2 The bye laws may regulate the following matters but are not restricted to them:

61.2.1 the admission of members of the Charity (including the admission of organisations to membership) and the rights and privileges of such members, and the entrance fees, subscriptions and other fees or payments to be made by members;

61.2.2 the conduct of members of the Charity in relation to one another, and to the Charity's employees and volunteers;

61.2.3 the setting aside of the whole or any part or parts of the Charity's premises at any particular time or times or for any particular purpose or purposes;

61.2.4 the procedure at general meetings and meetings of the directors in so far as such procedure is not regulated by the Companies Acts or by the articles;

61.2.5 generally, all such matters as are commonly the subject matter of company rules.

- 61.3 The Charity in general meeting has the power to alter, add to or repeal the rules or bye laws.
- 61.4 The directors must adopt such means as they think sufficient to bring the rules and bye laws to the notice of members of the Charity.
- 61.5 The rules or bye laws shall be binding on all members of the Charity. No rule or bye law shall be inconsistent with, or shall affect or repeal anything contained in, the articles.

DISSOLUTION

- 62. 62.1 The members of the Charity may at any time before, and in expectation of, its dissolution resolve that any net assets of the Charity after all its debts and liabilities have been paid, or provision has been made for them, shall on or before the dissolution of the Charity be applied or transferred in any of the following ways:
 - 62.1.1 directly for the Objects; or
 - 62.1.2 by transfer to any Charity or charities for purposes similar to the Objects;
or
 - 62.1.3 to any Charity or charities for use for particular purposes that fall within the objects.
- 62.2 Subject to any such resolution of the members of the Charity, the directors of the Charity may at any time before and in expectation of its dissolution resolve that any net assets of the Charity after all its debts and liabilities have been paid, or provision made for them, shall on or before dissolution of the Charity be applied or transferred:
 - 62.2.1 directly for the Objects; or
 - 62.2.2 by transfer to any Charity or charities for purposes similar to the Objects;
or
 - 62.2.3 to any Charity or charities for use for particular purposes that fall within the Objects.
- 62.3 In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a Charity) and if no resolution in accordance with article 62.1 is passed by the members or the directors the net assets of the Charity shall be applied for charitable purposes as directed by the Court or the Commission.

SIGNATURES, NAMES AND ADDRESSES OF SUBSCRIBERS

Signature of subscriber

Name of subscriber

Address of subscriber

.....

Signature of subscriber

Name of subscriber

Address of subscriber

.....

Signature of subscriber

Name of subscriber

Address of subscriber

.....

Signature of subscriber

Name of subscriber

Address of subscriber

.....

Dated:

Peter Oliver/CL/WarksCC

From: David Norris [redacted]
Sent: 04 January 2012 13:40
To: peteroliver@warwickshire.gov.uk
Subject: Re: code of conduct

Dear Peter

I have gone through the report with interest, although I am highlighting some points; my experience is that not much is ever done on these codes of conduct.

However:

6.13

Counselor Day only after my letters of concern and advice to parish council, that clr Leeke declared defamatory to the members during parish meetings prior to 21st Jan did he declare interest; however he was at the forefront of requesting public funding to this, and is a member of the pcc and a warden.

[redacted]

6.16 counselor Leek is disingenuous. As he was at the forefront with Clr Day at the inception of the centre 5 years ago with Rev Mervin.

Clr Leeke was also on the Pcc for 9 or 10 years, prior to his wife taking place as treasurer; a member of the public would consider it was an interest para 8 of code.

[redacted]

What will happen to all the decisions that were made by these parties, on this matter now, and there office.

Kind Regards
David Norris tel [redacted]

Peter Oliver/CL/WarksCC

From: Andrew Day [REDACTED]
Sent: 06 January 2012 09:38
To: Peter Oliver <peteroliver@warwickshire.gov.uk>
Subject: Code of Conduct Complaint | LSF.13.2011
Attachments: Day DOCS 060112.pdf; Day LTR 060112.pdf
VF-ITEM-ID: 2455951:6806877:13996:

Dear Mr Oliver

Please find attached my response to your letter of 14th December. I have also attached a small selection of related supporting Parish Council papers.

All the best

Andrew

Andrew Day CFRE
[REDACTED]

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SAVAGE'S HOUSE SAVAGE'S CLOSE
BISHOP'S TACHBROOK WARWICKSHIRE CV33 9RL

4th January 2011

Your ref: POLI/poli/W25117

Mr P.J.R. Oliver
Environmental Team Leader
Resources Group
Warwickshire County Council
PO Box 9, Shire Hall
Warwick
CV34 4RR

Dear Mr Oliver

I write with regard to the Code of Conduct Complaint LSF.13.2011 and in response to matters raised in your draft report of 13th December 2010. Thank you for the invitation to offer comments.

1. There are two points of accuracy that may be relevant:
 - a. Your para 5.4 incorrectly reports in that I was appointed as Chairman of the St Chad's Centre Committee "*Through his (sic) membership of the PCC*". I indicated in my statement para 5 that, "*I have chaired the group that formed as a result of these (community) consultations ...*". It is this group that voted me as Chairman, not the PCC.
 - b. In para 5.5 you find that "*The application was made by the St Chad's Centre Committee*", when Minute 660 records that I "*updated the Parish Council on the progress being made*" and the next steps to be taken to secure the project funding. It may be helpful to clarify that at this time, neither the St Chad's Centre Committee nor the PCC had agreed the basis on which a proposal would be made to secure a grant from the Parish Council for the project.
2. The evidence you have gathered does not give a complete picture of the Parish Council's relationship with the St Chad's Centre project. In my view, this is important because I contend that a member of the public with knowledge of the facts would reasonably regard that my interest in the St Chad's Centre was not so significant as to be likely to affect my judgement of the public interest.

My request for funding for the St Chad's Centre was made, not as Chairman of the project, but rather as a Parish Councillor who had been working to improve a wide range of Parish amenities. This request needs to be viewed in the context of the debate I lead to increase the Parish Precept and the various funding requests I had made previously for other community amenities projects in which I had also had a leadership role in galvanising community support and fundraising.

3. Since circa 2004, the St Chad's Centre has been a project endorsed by the Parish Council with formal resolutions of support and through the regular work of its Communications and Amenities Working Party. In 2003 our then District Councillor Richard Tamlin secured funding for an audit of community amenities, because of issues raised at a Public Meeting in October 2002. The report adopted by the Parish Council highlighted the lack of provision and the need for new facilities. The Parish Council then engaged with the PCC in efforts to create the St Chad's Centre. **This is why, from the outset, the St Chad's Centre was conceived to be a facility for the use not only of the Church but also the wider Parish community.**
4. Many Parish Councillors have served on CAWP over this period, were familiar with the project and had been active in consultations and developing the Business Plan. As Chairman of CAWP I regularly updated the Parish Council on the work being done to further the project and to support the St Chad's Centre Committee, which were leading on the wider community consultations and fundraising activities. Articles were also published in the universally circulated Parish Magazine to ensure the Parish was fully informed.
5. The St Chad's Centre is one of a number of capital projects that the Parish Council worked to complete by using match funding to leverage grants from other bodies. In 2004, I moved a motion that the Parish Precept be increased by 40% (£10,000) to provide a pot, which could then be used to leverage grants for future capital projects. Since then, all Parish budgets have included this fund, which has been applied to good effect.
6. As Chairman of CAWP, I used my professional experience as a capital fundraiser to apply leverage grants for improvements in Parish amenities, such as:
 - * Meadow makeover tree planting & fencing - 2003/4
 - * Junior Play equipment - 2005
 - * Youth Shelter - 2005
 - * Toddler play equipment - 2006

- St Chad's Green - 2006
- Public seating project - 2006
- Village Gateway project - 2006
- BMX track - 2009

Some of these projects, such as the Meadow Makeover Plan also split public opinion and were completed in concert with other village groups, such as the Sports & Social Club.

7. At the meeting on 21st January, I was seeking that the Parish Council make a pledged grant over a period of time to strengthen the prospects of the project securing further (more substantial) funding from other bodies. As Minute 660 records: *"He made the point that over the last 4/5 years the PC had been successful in multiplying up its contribution to new amenities by bidding for outside sources of funds; ... Cllr Day asked the PC to embrace the same process by assigning £10k pa over the next five years."*
8. To do this successfully, the Parish Council also needed to clearly resolve how it might use the Centre itself and on what basis the Centre would be operated, which has ultimately lead to the collective efforts to create a new Charity for this purpose. This point had been discussed at previous Parish Council meetings as the Business Plan for the Centre was reviewed, amended and shared for further consultation with other interested community groups.
9. I therefore have difficulty supporting your finding in para 6.13 that *"as Chairman of the St Chad's Centre Committee which was the body making the application for the grant, a member of the public with knowledge of the facts would reasonably regard the interest as so significant as to be likely to affect his (my) judgement of the public interest."*

The decision I made to support the proposal as detailed in Minute 660, was not prejudicial because a member of the public with the knowledge of the relevant facts would reasonably regard that I was using good judgement in the public interest:

- ◆ Because as a Parish Councillor I was applying my professional experience and expertise in capital fundraising for projects for not-for-profit organisations over the past 20 years.
- ◆ Given the sound decisions I have previously made for similar Parish Council schemes which have enabled major grants for other capital projects in the Parish to be secured, such as for the Meadow Makeover Plan.
- ◆ The St Chad's Centre, like other capital projects for Parish amenities had been on the Agenda of meetings of CAWP and was regularly reviewed by the Parish Council. **I had personally been equally as**

active and involved in these projects as I am now in the St Chad's Centre plans.

- ◆ The St Chad's Centre will deliver benefits for all the residents of the Parish and not a select group. It is a project that has had extensive and wide ranging community consultations, as the public record indicates, and is central to the Parish Council's endeavours to improve community facilities.

10. With regard to the meeting on 20th May, in my opinion it would be more accurate to find that the minutes do not record that any declarations of interest were made for the item in question.

In my statement I indicated that I do not recall whether or not I declared an interest, although I should add, now that I have had time to reflect on the matter, **that given that item 709 concerned the St Chad's Centre, it was likely that I would have declared a personal interest, as I had done so on all previous and subsequent occasions when this matter was discussed by the Parish Council.**

I hope these comments are helpful.

Yours sincerely

Andrew Day

BISHOP'S TACHBROOK PARISH COUNCIL

Village Amenities Update

Dear Resident

The Parish Council would like to keep you up-to-date on the plans to improve our amenities in the village.

Junior Play equipment

Contracts have been let for the installation of new play equipment. Following extensive community consultation (and further advice from the contractors) it was resolved to site the new Junior Play area alongside the existing Tiny Tots area on the northern boundary of the Meadow. Installation will begin in May, with the new facilities being officially opened for use at the Village Fete on 11th June.

St Chad's Green

The Leopard has kindly donated for use elsewhere in the village their play equipment, which has recently passed a safety inspection. One suggestion is to re-site this equipment on St Chad's Green to provide alternate recreational facilities to those being located on the Meadow, closer to those children living in this area. The Council wants to gauge local support for this idea.

Public seating

Plans are being developed to re-instate public seating throughout the village. Funding is being sought to install ten benches at half of the twenty possible locations that have been identified. In addition, it is planned that extra litter bins will be installed on the Meadow and St Chad's Green, along with two picnic tables.

Skateboard facility

The next stage of the Meadow Makeover is the provision of a recreational facility for the older village children. Plans are being developed and funding sought to install a skateboard facility. Public consultation on the elements of the facility and its proposed location will be undertaken with young people and the wider community over the Spring and early Summer.

Tree planting

The Kingsley Road tree-planting project has been successfully completed. Following earlier requests for suggestions in the Parish News for other similar schemes, it is proposed that trees are planted this Autumn on the St Chad's Green, to enhance the play equipment and new public seating.

The Parish Council would welcome your comments on these projects. The next Parish Open meeting is on Monday 11th April at the Sports & Social Club, at 7.30pm.

While you have your diaries out, on Saturday 19th March a group of volunteers will be gathering at 9am on the Meadow to do a couple of hours of weeding and general maintenance to the recently planted trees and shrubs. All volunteers welcome, so please do come along if you can.

Helen Hunter, Parish Clerk

(Delivered by hand to houses located next to the Meadow and St Chad's Green.
To also be published in the April edition of the Parish News)

BISHOPS TACHBROOK PARISH COUNCIL
MEADOW MAKEOVER PROJECT

The meadow is the largest open space in the parish, measuring approximately three hectares. It is owned by the Parish Council on the basis that it is "to be used in perpetuity by the inhabitants of Bishops Tachbrook and for a public playing field only". Part of the amenity is leased to the adjoining Sports and Social Club on generous terms reflecting the value of the Club's input to the community by providing much needed facilities. The playing fields are generally level and laid to grass, there is a toddlers play area, a youth shelter, and an all-weather sports facility, but principally the area is left as public open space.

In May 2002, the Parish Council first identified the need for a strategy to be developed to improve the amenity of the meadow and gave responsibility to the Amenities Sub-Committee to develop and implement plans for its improvement as a village amenity.

October 2002 – Annual Open Parish Meeting

This meeting was attended by over 100 local residents and there were general requests for improvements to be made to the village recreation facilities.

January 2003 – Meeting with Warwick District Council

Nigel Bishop, Head of Leisure and Amenities was asked to produce drawings of the proposed meadow makeover using WDC's planning expertise and professional experience. A site meeting was held to produce an overall strategy for the meadow incorporating the ideas raised at the open meeting, including a junior play area, additional parking and lighting. Preliminary consultations with community groups were held with regard to the current and future use of the village playing fields.

June 2003 – Draft Plan

WDC's professional input was secured and a draft meadow makeover plan was developed with Nigel Bishop, various issues were addressed including the provision of full youth facilities, location of the youth shelter, additional parking and lighting, and tree planting and boundaries. The Sports and Social Club were invited to become involved in the proposals as part of the consultations with the community.

November 2003 – Annual Open Parish Meeting

The detailed plan and site drawings were presented to the open meeting and subsequently adopted by the Parish Council. The meeting had been advertised via the Parish Magazine, parish noticeboards, and a leaflet drop to every house. It was extremely well attended.

The Plan called for a staged development of recreational facilities. The first stage required the creation of a boundary heavily planted and suitably fenced to assist security and provide areas for future recreational use.

January 2004 – Planting Day

A public planting day was supported by over 50 people, including children, who worked with WDC officers and planted hundreds of trees and hedging plants along the meadow boundary. In the spring, protective fencing was installed by local volunteers and weed clearing and bark chipping will be carried out in March 2005 again by community effort.

Finance of this planting stage was £2,500. A special grant from WDC provided half the funds required and the balance was provided by the Parish Council and the Sports and Social Club.

July 2004 – Parish Open Meeting

The second stage of the meadow makeover focused on the installation of junior play equipment, and this open meeting was devoted to providing the community with a more focused opportunity to review the proposals in greater detail. The specific requirements for the junior play area were discussed and a detailed specification developed.

August 2004 – Tender Process

Following advice from WDC, five companies were invited to tender to design, supply and install the play equipment. The Amenities Sub-Committee reviewed the tenders and conducted site visits to inspect similar facilities elsewhere. Three companies were shortlisted and invited to make presentations to the Parish Open Meeting in October 2004.

October 2004 – Open Meeting

Letters notifying residents about the meeting were sent out via the schoolchildren and the plans were displayed at the school. The meeting was well attended and the suppliers were asked questions by neighbouring residents and members of the Youth Crew. Subsequently, the Parish Council resolved to take up detailed negotiations with its preferred supplier Hags Limited, due to the durability of its play equipment and good maintenance record on other Warwickshire sites.

January 2005 – Open Meeting

Concern was expressed by neighbouring residents about the location of the new junior play equipment. In detailed consultation with Hags on a site visit, a new location was identified next to the existing toddlers play area, based on good access, away from property, sheltered by existing trees and bushes, a safe distance from the football pitch and allowing adults good visibility of the various play areas. The professional advice had been sympathetic to the views of the local residents that the original location was inaccessible and its poor visibility had safety implications.

A leaflet drop to the nearest residents to the proposed new location has been undertaken in March 2005 to ensure that all those affected have been fully informed and consulted before implementation.

Finance

The budget for the project is £40,000. Hags has quoted to deliver £48,438 worth of work for the discounted fee of £39,936. A grant of a maximum of £20,000 (50% of the

scheme) has been awarded by Warwick District Council's Rural Initiatives Fund. It was hoped to acquire £10,000 from Warwickshire County Council with the outstanding £10,000 being allocated by the Parish Council from its reserves. An application for £5,000 from WCC's Wellbeing Fund was unsuccessful, and alternative funding sources are now being considered at WCC and the Landfill Tax Credit Scheme. The Parish Council has committed to further fund the shortfall from its reserves if necessary rather than lose this scheme, but this may jeopardise phase 3 of the scheme as funds would then be severely limited.

A community fundraising appeal has begun to encourage residents and community groups to make financial contributions. A Village Review is currently being organised for 19 March 2005 and all proceeds will be given to the meadow makeover project. The Parish Council has also increased its precept by more than inflation to raise funds for investment in the project.

Further Stage of Development

A further phase of the meadow makeover scheme is the installation of a skateboard facility for the over 12s. A bid has been submitted to WDC's rural initiatives scheme as the original application was based on a three year programme, and it is hoped that more detailed proposals will be submitted to the open meeting in April. It is also intended to submit applications to WCC and the Landfill Tax Credit Scheme for this phase of the development.