

Warwick District Council

Minutes of the meeting held on Wednesday 11 March 2015, at the Town Hall, Royal Leamington Spa at 6.05pm.

PRESENT: Councillor Mrs Sawdon (Chairman); Councillors Barrott, Boad, Mrs Bromley, Mrs Bunker, Caborn, Coker, Cross, Davies, Ms Dean, Doody, Edwards, Mrs Falp, Mrs Gallagher, Gifford, Gill, Hammon, Heath, Mrs Higgins, Illingworth, Kinson OBE, Mrs Knight, Mrs Mellor, Mobbs, Rhead, Shilton, Vincett, Weber, Wilkinson, Williams and Wreford-Bush.

Apologies for absence were received from Councillors Mrs Blacklock, Copping, Ms De-Lara-Bond, Dhillon, Mrs Goode, Mrs Grainger, Guest, Kirton, Pittarello, Pratt, Mrs Syson, and Ms Weed..

93. **Declarations of Interest**

Minute 96 – Strategic Opportunity Proposal

Councillors Caborn, Gifford and Shilton all declared they had a Disclosable Pecuniary Interest because Warwickshire County Council could significantly benefit from the proposal, but dispensation granted by the Council in October 2012 enabled them to listen to the debate before they left the room while the vote was taken.

Councillor Boad declared that although his wife was a Warwickshire County Councillor he had been advised that he could participate and vote on this matter.

Councillor Mrs Falp declared a personal interest because her son was a shareholder in Leamington Brakes Football Club.

Councillor Heath declared a personal interest because he was a shareholder in Leamington Brakes Football Club.

94 **Statement of Councillor Mobbs**

The Chairman informed the Council that she had agreed for Councillor Mobbs to make a statement to the Council, despite this not being included on the agenda, because the statement was in the interest of the Council.

Councillor Mobbs addressed the Council and explained that the Chief Executive had shown all four Group Leaders a letter that he had received which was extremely concerning about confidentiality and regarding the leaking of the confidential document titled "Strategic Opportunity Proposal." This was the fourth leak of confidential papers in recent times. The leak also involved a family. Councillor Mobbs asked how would Councillors feel if it was their family involved. It reflected appallingly on this Council and had let everybody down. This called into question the integrity of each and everyone in this Council. The Council would not assist in the defence of any action taken against a Councillor regarding a breach of confidentiality.

The person who did this may have felt they were being extremely clever when in fact they were violating the democratic process upon which our society was founded.

The Leader went on to say that Councillors would have seen from the two emails circulated by Councillor Mrs Bromley the views expressed by the solicitor acting on behalf of Racing Club Warwick and a press release on behalf of the Club, in response to a report which had been proposed to be considered at the Executive tonight. The report had now been withdrawn and the Leader wanted to take this opportunity to provide an explanation.

He explained that he was not going to rehash all the background to the Racing Club Warwick saga because things had moved on or at least so he thought. The Cadets had surrendered their lease on the part of the Football Club and the Club had had its lease renewed. The duplicating lease issue therefore had been resolved. The Council was asked by Chris White MP if the Council would attend a meeting with the Football Club that he would chair and facilitate with the objective of seeking a resolution to the wider issues. It was felt it was worth attending as a gesture of goodwill.

The meeting had been held on Friday 6 March at Chris White's office. It was attended by Andy Cowlard, Chairman of the Football Club, John Hathaway, the Club's solicitor, the District Council's Chief Executive and Barry Juckes, the Council's solicitor, together with Chris White and his PA. The Chief Executive felt that it had been a positive meeting and that the Council and the Club were looking forward and not backwards. There was no discussion about a settlement claim nor about any particular sum of money that might be invested in the club's premises. However there was discussion about how both parties might progress and help improve the premises. The Chief Executive had agreed to do a number of things at that meeting:

- (1) To prepare and circulate a draft copy of a report that he would ask to be taken as an emergency item at the forthcoming Executive meeting; and
- (2) He would organise for one of the Council's property officers to visit the site with Andy Cowlard to assess what was needed and draft an estimate (this was done on Tuesday).

The meeting had finished not long after 3.00pm and by shortly after 5.00pm the Chief Executive had written and circulated a copy of the report as promised. Chris White MP and Andy Cowlard's comments were invited. Indeed as the weekend progressed, he updated the report in light of comments received internally and recirculated it to Andy Cowlard and Chris White MP. On both occasions he asked that the report be forwarded to John Hathaway as the Chief Executive did not have his email address.

The Chief Executive also sent a text to Andy Cowlard on Sunday 8 March asking if he had received the report and had any comments. He did speak to Chris White MP on Monday morning who thought the report reflected the discussions held the Friday before. Despite some chivvying, no direct response was received until John Hathaway sent an email to the Chief Executive on Monday afternoon at 3.00pm. The Leader noted that Councillor Mrs Bromley circulated the same email to Councillors about an hour later.

The email had led to a number of conversations with John Hathaway highlighting that, given the nature of the conversations about moving on, making a statement referring back to a settlement had not been part of the discussions nor was it a way forward. Rather, it was backwards step and therefore contradicted both the discussion and the report. Despite those ongoing discussions a press release was issued on 10 March which Councillors all had, as circulated by Councillor Mrs Bromley.

The Council and indeed the Chief Executive in effect stood accused of formulating a report that bore no relation to the meeting held last Friday. Yet, this was contradicted by the email from the Club's solicitor sent on Monday which stated "The Chairman of the Racing Club Warwick instructs me to advise you that the amended report (second draft) prepared by the Chief Executive to the Warwick District Council is a true reflection of the hopes expressed at the meeting held last Friday between Racing Club Warwick and the Warwick District Council, facilitated and chaired by Chris White MP." Chris White MP had informed the Leader the report reflected the discussions that took place. Therefore all but one person agreed the report reflected the discussion held.

The Leader thought there was a genuine concern that the Club had not really changed its outlook and had not wanted to move forward positively. That had sadly proven to be the case. He asked whether Members could imagine any club or association that had a report in which the Council would be committing itself to a significant capital investment as this report did, turning it away, and yet Racing Club Warwick had. Given that set of circumstances and the belligerence of the press release the Leader felt that to progress with the report would be futile and he had therefore instructed that the report be withdrawn.

The Leader concluded that the proverbial ball was in the half of the Football Club. If they did really wish to progress matters positively it was up to them to set aside the past and put forward a way forward that would be of interest to the Council and that displayed the trust required of the two organisations.

The Chairman of the Council expressed her dissatisfaction, highlighting the extremely good reputation of the Council and how it always aimed to work together through consensus decisions. The person who had leaked the document was a colleague and someone who was welcomed and valued, but their actions were a disgrace and had let all the Council down.

95. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the relevant paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006.

96. **Strategic Opportunity Proposal**

The Council considered a report regarding the potential for enhancing the strategic ambitions of the Council. The full details of which would be contained within the confidential minutes of this meeting.

Resolved that the recommendations within the report were noted.

(The meeting ended at 9.09 pm)

CHAIRMAN
22 April 2015