



# BRAMSHOTT & LIPHOOK PARISH COUNCIL

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**A MEETING OF BRAMSHOTT & LIPHOOK PARISH COUNCIL TOOK PLACE AT 8.00PM IN THE HASKELL CENTRE, MIDHURST ROAD, LIPHOOK ON MONDAY 31 JANUARY 2011**

## MINUTES

**PRESENT:** Cllr N Newman (Chairman), Cllr G Amey, Cllr J Austin-Olsen, Cllr M Croucher, Cllr Mrs B Easton, Cllr R Evans, Cllr Mrs A C James, Cllr P Jordan, Cllr Dr S Judge, Cllr Ms J Poole, Cllr J Tough (Parish Councillors). Cllr Mrs E Hope (District Councillor). Mr A Groves (Clerk; Items 1-12). Mrs L Grocott (Clerk; Items 13 and 14). Mr R Taylor (Hedleys Solicitors), Mr S Lugg (Hampshire Association of Local Councils). Seventy-two members of the public attended the meeting, with the majority leaving after Item 9. One member of the press was present throughout.

### 01/11 CHAIRMAN'S ANNOUNCEMENTS

**Action**

Preliminaries: Mobile Phones, Exits, Loop System, Toilets.

### 02/11 APOLOGIES FOR ABSENCE – Cllr Wilson

### 03/11 MINUTES OF THE MEETING – 23 DECEMBER 2010

**For Decision:** To agree the minutes of the meeting.

**Proposed:** The Chairman **Seconded:** Cllr Mrs James **Vote:** For: 9

**Resolution:** Agreed as a true and accurate record of the meeting, subject to the correction of the seconder at Minute 151/10, to read "Cllr Wilson".

**Clerk**

### 04/11 MATTERS ARISING FROM THE MINUTES 23 DECEMBER 2010

None; Cllr Ms Poole joined the meeting.

### 05/11 DECLARATIONS OF INTEREST – The declaration was read out.

Councillor

Cllr Dr Judge

Existence

The member about whom a motion was being proposed

Nature

Personal & Prejudicial  
Item 9, Minute: 9/11

## 06/11 MINUTES – COMMITTEES, WORKING PARTIES/GROUPS

### **Highways, Byways and Transport (H,B&T) Committee – 12 January 2011**

Cllr Tough referred to the decisions made on the Speed Limit Reminders, that they would be dealing with issues relating to Traffic Management at the schools, and that he had given his report on the Shipwrights Way. Guidance had also been given over snow and winter conditions.

**For Acceptance:** Minutes and recommendations.

**Proposed:** Cllr Tough **Seconded:** Cllr Croucher **Vote:** For: 10

**Resolution:** Agreed.

Clerk

### **Planning Committee – 17 January 2011**

Cllr Mrs James reported that they had continued to object to the Gospel Hall on Bohunt Manor land, as well as the continued application for access at Chitley Lane. A letter had been written to EHDC, because work had commenced without planning permission. Cllr Mrs James invited questions. It was noted that the meeting was on 17 January not the 18 January; the Clerk apologised for the error.

**For Acceptance:** Minutes and recommendations.

**Proposed:** Cllr Mrs James **Seconded:** Cllr Ms Poole **Vote:** For: 10

**Resolution:** Agreed.

Clerk

### **Liphook Millennium Centre Management Committee – 20 January 2011**

Cllr Tough referred to the need for volunteers which had been discussed at the meeting. Cllr Tough informed those attending the meeting, that volunteers would be welcomed to man the foyer in the evenings.

**For Acceptance:** Minutes and recommendations.

**Proposed:** Cllr Tough **Seconded:** Cllr Jordan **Vote:** For: 10

**Resolution:** Agreed.

Clerk

## 07/11 MONTHLY REPORT – THE CHAIRMAN OF THE F&P COMMITTEE

A was made by Cllr Austin-Olsen on completion of monthly checks for period 1-30 December 2010 and questions invited.

**For Approval:** Acceptance of report and payments for January 2011.

**Proposed:** Cllr Austin-Olsen **Seconded:** The Chairman **Vote:** For: 10

**Resolution:** Agreed.

Clerk

## 08/11 PUBLIC PARTICIPATION SESSION

Meeting adjourned. The Chairman advised Mr Burns that he would deal with his question concerning the pay out to the Parish Clerk at Item 13.

### **Questions to the Parish Council – Matters not on the Agenda**

Mr Trodden. Does this Council consider Mr Nigel Newman to be a fit and proper person to be a Councillor, let alone Council Chairman given the former observations about his past behaviour? Have you Mr Chairman ever been arrested and charged by the police for a criminal offence?

The Chairman. No, I have absolutely no criminal convictions.

Mr Trodden. Is it right that a Chairman of local Council should extend his home without planning permission? Is it true that EHDC are currently investigating this?

The Chairman. EHDC did come out, and the house is smaller than it was and is a matter of record. (Mr Trodden made further statements which were not questions, and points of order were raised by members of the Council. The Chairman said they were planning matters which Mr Trodden should take up with EHDC).

Mr Trodden. Have you buried any rubbish in your garden?

The Chairman. No, never; hard core which was photographed and which enforcement and environmental health have been out and inspected, and passed with a clean bill of health.

Kerry Faulkner. I understand that there are restrictions on the budget for the play park, and are we able to apply for Lottery funding to enhance the budget for the equipment that we selected? Is that an option?

The Chairman. Have not got a fixed price for the final choice of work. When we get that and we look at funding, should there be shortfall, there are alternative places to apply for full funding. At the moment it is planned to be done in two phases. (The Clerk confirmed that £70,000 had been agreed as minuted which was the record of the meeting; Cllr Jordan said he would take this matter up.)

Mr Jerrard referred to the question he had asked about the payments to Hedleys. The Chairman said that this could be raised later in the meeting.

Mr Robin Young (Age Concern). Would like to ask the Parish Council if they would join me in writing a letter to the refuse collectors, Veolia, and thank them for carrying out their services correctly during the bad weather and only missing a day.

The Chairman. The Clerk will write to Veolia.

Mrs Dawn Hoskins. I wish to speak about the Parish Council trying to intimidate members of the public who post on the Liphook website.

The Chairman. During Item 13 (Minute 13/11).

The meeting was reconvened.

**Members/Public Participation (Code of Conduct, Paragraph 12 (2)).** None.

**Public Participation (Items on the Agenda).** The Chairman said he would allow members of the public to ask questions during Items 9 and 13 (Minutes 09/11 & 13/11).

Mr Jerrard. There is an item on Bohunt Manor concerning the transfer of land for allotments and why is it being done confidentially?

The Chairman. About transfer of land for allotments at Bohunt Manor because it is legal and contractual and therefore exempt. There was a brief discussion concerning the definition of the land being discussed; it was clarified that the land was part of land in which Bohunt Manor sits.

Mr Trotter. In the Gospel Hall planning application, no mention was made about the car park for the allotments, as shown on the most up to date plan no regard has been made for this. Will this affect the drainage from the proposed Gospel Hall and your own car park? Can you categorically state that the land shown on the planning application from Tile Cottage downwards as of the planning application still stands. That land is owned by Brian Cox, and he owns a pocket to the north and east and also an access way to the golf club which was granted by Lady Holman. Your planning application says nothing about Brian Cox retaining access to it. Is anything changed and does that still stand?

The Clerk advised that he was not aware of any change to that, in terms of access, as shown on the plan shown to him by Mr Trotter. The Clerk advised that there was a proposal for a transfer of land to be discussed later on the agenda, which was subject to legal advice and was privileged information. There was further discussion about the car park in relation to the Gospel Hall; the Clerk confirmed that the car park was not the Council's, or that it was the Council's proposal.

Cllr Dr Judge left the meeting.

## 09/11 COUNCILLOR DR JUDGE

**The Motion:** "This Council resolves to express their continued support for Dr Sangita Judge and hope for her speedy re-instatement, and will write a letter to the GMC making them aware of the level of local support."

The Chairman proposed the motion, seconded by Cllr Tough. The Chairman invited comments. Mrs Hoskins questioned whether there was any information about what she had done or the statement issued by Dr Judge, the propriety of offering support before information was available so an informed decision could not be made until it was known what was going on. The Chairman appreciated the position, and said that it would be improper while the investigation was under way and he had not asked for that. The motion was on the agenda because of the level of pressure from parishioners, because she was the most popular person in the Parish at the moment, and it would be remiss not to show the level of support for her within the community.

There was discussion about what was known or not known. Sue Pledger (Action Group for Dr Judge) said that Dr Judge had not been told what she had been accused of, and the suspension had been running for three months. Dr Judge could not tell people why she had been suspended because she did not know.

Mrs Barker said that the people that supported Dr Judge needed publicity which was very difficult when many of her patients did not know what had happened. There was need for means of publicising the strong movement for her. Mr Bonnar said that in addition to the petitions, there was a Facebook page on the internet under her name but not organised by her. Opinion could be mobilised that way. Mr Bonnar asked who the addressee of the letter would be? The Chairman said the letter would go to the GMC. Mr Bonnar asked if it could be sent to the Cabinet Minister involved, the local MP, the Regional Health Authority, to be a thorn in their sides, and to show those people that it had not been entered into in a cavalier fashion, and there was a community to be answered to. The Chairman said those were very valid points. Mr Burns said that Dr Judge had saved his life. Mr Burns said that the Clerk had waved his hand at him; the Clerk said he had been indicating to the Chairman. The Clerk apologised publicly to Mr Burns, and said he had not wanted to stop his questions. Mr Burns stated that he and his family were still waiting for a response to letters he had sent and nobody was taking any notice. The Chairman said

he understood what Mr Burns had said and that it was valid. There was then discussion between members of the public about what to comment on, and the support to be given.

Mr Loveday said that he was a patient of Dr Judge, and that as she was the diabetic expert at the surgery, the other doctors were trying to cope in her absence with what was a serious disease. The doctors were overworked and it was sometimes difficult to make an appointment. Leaving the practice without a diabetic expert was very bad indeed. Mr Collett said he had his life saved by Dr Judge. He felt it was outrageous, that for three months, Dr Judge had been out of action. Dr Judge was being paid 10% of her normal salary, and all this was based on the feelings of two or three doctors in the surgery, where the atmosphere was poisonous. Mr Collett felt the public should be told what was going on, and he questioned why it had taken three months for this to be resolved by the GMC, why there could not be a quick answer, and why the doctors that had put her in this position had done so.

Sue Pledger concluded by saying that all the staff were unhappy as well. She had been responsible for the inadequate publicity but had done her best. She had found out early on what was happening at the surgery, through her own medical problems. She agreed totally with what Mr Collett had said. No patient had complained about Dr Judge in the whole of her career.

Cllr Mrs Easton joined the meeting.

Mr Roberston said that he had started a thread about this on the Talkback section of the local website (liphook.co.uk). A day later he had received a personal e-mail from the editor, saying it had been removed to save embarrassment. He questioned who the embarrassment referred to; the surgery or Dr Judge. Members of the public were trying to put their points across, and instantly it could not be talked about. The power to remove things from the website, and the name of the editor were questioned. Mrs Hoskins confirmed that the editor was Mr Baker; the website was run by Mr A Baker and Mr M Baker who were father and son. Other members of the public said they had not been able to make posts. Cllr Jordan proposed an amendment to the motion:

*“This Council resolves to express their continued support for Dr Sangita Judge and hope for her speedy reinstatement, and will write to the GMC requesting that there be a speedy resolution to the issues involved and making them aware of the level of local support and appreciation in the community for her skills and dedication as a respected doctor.”*

Cllr Croucher seconded the motion.

**For Decision:** The amended motion as proposed.

**Proposed:** The Chairman **Seconded:** Cllr Tough **Vote:** For: 10

**Resolution:** Agreed.

Cllr Dr Judge re-joined the meeting.

**Clerk**

## 10/11 ANNUAL PARISH MEETING – 28 MARCH 2011

The Chairman asked for any comments on the arrangements for the Annual Parish Meeting. Cllr Tough proposed that the venue should be the Liphook Millennium Hall (LMH), and the speakers should be the Chairmen of Committees, and The Chairman of the Council as normal. Cllr Croucher felt it would be useful to have an update on the Eco-Town.

Discussion: The nature of the talk on the Eco-Town, who would be appropriate to speak, a speaker from the South Downs National Park (SDNP) Committee. Refreshments; as normal. HCC/EHDC speakers as normal.

**For Decision:** Arrangements for the Annual Parish Meeting.

**Proposed:** The Chairman **Seconded:** Cllr Tough **Vote:** For: 11

**Resolution:** Agreed; the venue would be the LMH, with Parish Council speakers and refreshments as normal. Two external speakers; EHDC Eco-Town to dwell on the interface between the parishes and the potential impact/interplay between the two, and to dwell on transport effects. SDNP; to dwell on 30% of the Parish in the SDNP and what that means to the Parish.

Clerk

The layout of the tables in a horseshoe to aid the hard of hearing, and the use of hand held microphones directly connected to the loop system were raised.

## 11/11 REPRESENTATIVE FOR ECO-TOWN STANDING CONFERENCE

The Chairman sought a volunteer.

Discussion: Use of the Vice-Chairman of the Planning Committee and the need to appoint a Parish Councillor. Identifying the key issues and seeking a volunteer from an appropriate committee, such as transport or planning.

Cllr Evans volunteered to be the representative.

**For Decision:** The appointment of Cllr Evans as the Eco-Town representative.

**Proposed:** Cllr Croucher **Seconded:** Cllr Jordan **Vote:** For: 11

**Resolution:** Cllr Evans was appointed as the Parish Council representative to the Eco-Town Standing Conference.

Clerk

## 12/11 REPORTS/REPORTS FROM REPRESENTATIVES TO OUTSIDE BODIES

Parish Plan Meeting - 13 January 2011. Cllr Ms J Poole reported that it was the first meeting of the Parish Plan Steering Group in a public forum. The purpose of holding the meeting at the Liphook Millennium Hall, was to allow the public to come to the meeting and see what was happening. It was early stages, but it had started on a high note and people were becoming involved.

The Steering Group had been formed and the planning of the project had started. In particular Sarah Frankland was covering the hamlets, Robin Young, the Chairman, was covering the elderly, disabled, and medical. They had made a good start in networking through the community and this was on-going.

Cllr Ms Poole said the best way to ensure the plan they come up with was well thought out and developed, was to reflect contributions from the community. It was essential to do that. Many benefits could accrue from a Parish Plan. In order for that to happen it should be a community effort and not just a group of people having ideas. At the meeting Robin Young was confirmed as Chairman, Trevor Maroney as the Treasurer, Philip Jordan as the Secretary. There had been very good presentations from Linda Munday at EHDC, Jo Dixon from Community Action Hampshire, and HCC. They gave some good insights on how to further the Parish Plan and make it as successful as possible.

Each member of the Steering Committee had been able to give a short outline of what they had been doing. Trevor Maroney was able to explain that funding had been obtained from the Parish Council and EHDC. It was hoped that with the help of Cllr Sam James funding might be available from HCC. Publicity had been good in the Liphook newspapers and the Petersfield Post. They had been in touch with local radio to get their input, and to help publicise future events that might be held.

Cllr Ms Poole concluded by saying that, in general, it was looking as though it would be a successful time for the Parish Plan. As the process went on, Cllr Ms Poole hoped to give more detailed information on the input of the groups to the Steering Group and how they were developing. The next meeting was in a few weeks' time, and it was hoped to show more progress in the other groups. The Chairman thanked Cllr Ms Poole for her thorough summary.

The Clerk left meeting and Mrs L Grocott took over as the Clerk who minuted the remainder of the meeting.

### **13/11 PUBLIC STATEMENT – HAMPSHIRE ASSOCIATION OF LOCAL COUNCILS (HALC) AND HEDLEY'S SOLICITORS**

Cllr Newman introduced Steven Lugg, Chief Executive, Hampshire Association of Local Councils and Roger Taylor, Senior Partner, Hedleys Solicitors to the meeting. Hedleys Solicitors specialise in Employment Law. They would be making a statement regarding the process of the legality of the decision making processes of the Parish Council but not the details.

#### Statement by Mr Steven Lugg

Mr Lugg said that the parish council had gone through the normal channels in trying to address the grievances by dealing with them informally, then formally, then through arbitration. They went from external arbitration at ACAS to be heard by an Independent Panel set up by HALC. HALC provided recommendations but there was still no settlement. HALC could provide no further assistance and they recommended the council approach Hedley's Solicitors who are specialists in employment law. It was only then that an Agreement was reached between the parish council and on Mr Groves' behalf, by his Trade Union representative.

Mr Lugg and Cllr Newman had been to see the Monitoring Officer for the Standards Board at Hampshire Association of Parish Councils (HAPC). Under the terms of the agreement the matter is now done and dusted. Mr Lugg said they have gone as far as they can go and there will be no further correspondence entered into.

Following recommendations of the Monitoring Officer at HAPC and in discussions with the Cllr Newman it is felt that consideration should be given to setting up a separate Personnel Committee to deal with staff matters who will deal with individuals and details in regard to their employment. This is the way normal employment law works. The Chairman is looking to review how confidential matters are managed and it is recommended this review is done urgently.

Mr Lugg reminded the council that they are doing a lot of positive work for the community. To enable improved transparency, consideration could be given to printing a quarterly Newsletter which would provide information on the council's work and the council's response to particular items.

To aid the structure of the council, there should be on-going training for the clerk and training for the councillors in officer protocol so that the councillors and the clerks can work together in an open environment.

He also recommended they read the latest copy of the Standing Orders for Councils published by National Association of Local Councils (NALC) as it provides information on governance, guidance and good practice. He stressed that it should not be taken word for word but made relevant to the council. In a similar way the Model Contract for employees should be used as a guiding document and adapted and made relevant to the council.

Questions:

Q. *Dawn Hoskins* asked how there could be a proper investigation into the allegation against the clerk when she was one of the witnesses and no one had approached her.

A. *Mr Lugg* said he was only going to talk about the process not the investigation. There will be no further discussion on this item.

*Mr Bonnar* felt one of the main responsibilities of the parish was to represent the thoughts and wishes of the parish. He would like to see improved communication.

*Mr Lugg* replied that there should be regular communication via a newsletter or notice boards. He encouraged the parish council to move forward to develop its Parish Plan.

*Mr Bonnar* said that information had been requested but the council had been unable or unwilling to give it. He felt that this fostered a culture of poor communication.

*Mr Lugg* said the Freedom of Information Act '*commits a public authority to produce and publish the method by which the specific information will be available so that it can be easily identified and accessed by members of the public*'. Information should be available on the website. He said that formal council meetings were not always the best way to discuss items. Regular surgeries might be useful.

*Mr Bonnar* said that he had initially supported the Clerk however he gradually withdrew his support because of the unrest in the council. He understood the councillors need to see more information on which to make their judgements. A group of councillors, because they felt they were acting on behalf of their parishioners with requests for information, seemed to have become known as rebels. This had occurred because there had been insufficient detail on the website and no details referred to in the Press Statement. *Mr Bonnar* suggested that the parish council have a judicial enquiry to clear the air and start anew.

*Cllr Newman* said that in theory the council had already reached this point. The council had negotiated an agreement with the Clerk and a Press Statement has been issued. He thanked *Mr Bonnar* for his comments and responded by reminding those present of the District and Parish Elections in May. A new council may approach matters differently. An agreement has been reached with the clerk and the council. The Press Statement has been subject to confidentiality. Certain councillors would be asked to contact the newspaper and ask them to retract particular statements that had been discussed at an exempt session.

*Mr Lugg* reminded everyone that he and *Cllr Newman* had spoken with the Monitoring Officer with regard to confidential and exempt information. If the management of this

information is handled appropriately then what has happened on this occasion will not happen in the future. Aspects that are exempt from the general public under the Freedom of Information Act and would not be included on the website include employment information, early stages of dispute, legal proceedings and items such as tenders for contracts.

*Cllr Tough* said that the website carries a lot of information including letters and minutes. There can be a quick response to enquiries.

*Mr Lugg* commented that he felt the council had not been very open and suggested the idea of informal surgeries which would enable greater transparency and would help to build the confidence of the parishioners.

#### Statement by Mr Roger Taylor

*Mr Taylor* said that after the event, which Mr Lugg responded to, Hedleys were asked to advise the council as to the position. Taking the information we had been given and looking at the position generally, which included all the factors, Hedleys provided advice to the council, through the Cllr. Newman, on how it could be addressed. This is how we have arrived at the current situation. Discussion had taken place with the Clerk's Trade Union representative and Solicitor, the Clerk's Solicitor and the Chairman of the Council on your behalf. A way forward was found. In the interests of resolution to the outstanding matters, we recommended a compromise agreement and this was agreed by the parties.

*Mr Jerrard* raised his concern regarding the instruction to the lawyers without a 'Client Care' letter. The council had not been provided with information regarding their costs. Letters had been written to Mr Hoskins without the council's authority.

*Mr Taylor* advised that they had been paid appropriately for services to the council. Their services were not an 'open cheque'. He would not be charging for his attendance at the meeting.

*Cllr Newman* said that in trying to solve the grievances not all decisions had been taken by the full council, however all major decisions were taken by full council. It was, however, unfortunate that at times decisions were taken when some of the councillors were absent from the meetings.

*Dawn Hoskins* questioned Mr Taylor about the letters she had received from Hedleys threatening to sue her for letters on the website.

*Mr Taylor* responded by saying that part of the council's agreement was to protect the agreement with Mr Groves. It was felt that some of the entries in the letter could have been construed to prejudice that agreement.

*A parishioner* raised the matter of funding for the new play park area. She expressed concern, that having heard the previous discussion, she hoped the new play area wouldn't be swept under the table because of lack of funds.

The council needs to agree the final plan and the final amount.

**14/11 EXCLUSION OF MEMBERS OF THE PUBLIC AND PRESS**

**The Motion:** “This Council resolves to exclude members of the public and the press, with the exception of Mr R Taylor of Hedley’s Solicitors, and Mr S Lugg of HALC in order to discuss exempt, confidential and privileged information.”

**For Decision:** The Motion.

**Proposed:** The Chairman **Seconded:** Cllr Tough

**Vote:** For: 8, **Against:** 1, **Abstentions:** 2

**Resolution:** Agreed.

**Exempt Session Agenda – 31 January 2011**

Bohunt Manor-Proposed Transfer of Land for Allotments (EXEMPT/CONFIDENTIAL).

**The Motion:** “Due to time constraint it was agreed that this matter would be dealt with in an exemption meeting as soon as possible”.

**Proposed:** Cllr Jordan **Seconded:** Cllr Mrs James **Vote:** For: 11

**Resolution:** Agreed.

**Exempt Session Agenda Decisions – 31 January 2011**

Exempt Session Minutes - Agreed.

Procedural, Legal, and other employment matters concerning The Council/employees - Discussed.

Bohunt Manor; Proposed Transfer of Land for Allotments - Deferred to an Extraordinary Meeting on 7 February 2011.

Business Concluded: 10.00 pm. Confirmed at the meeting: 28 February 2011

Signed: Chairman

Draft minutes until approved by the Parish Council, which does not preclude the implementing of decisions