

WATERBEACH PARISH COUNCIL

Parish Council meeting October 1st, 2013
Associated documents

Item 4

REC. 12/9/13
NKK



LEGAL DEPARTMENT

Peter D. Kendall (Legal Director & Solicitor)

Our Ref: PDK ecc
Your Ref:

Mr T Toone
Waterbeach Parish Council
The Old Pavilion
Recreation Ground
Cambridge Road
Waterbeach
Cambridge
CB25 9NJ

11th September 2013

Dear Sirs

CAM LOCKS DEVELOPMENT, WATERBEACH, CAMBRIDGESHIRE

I refer to your letter of 9th September 2013 relating to the above development and note your comments, however my Company is not prepared to "reinstate the Open Space Maintenance Contribution referred to above" as suggested by you.

Yours faithfully

A handwritten signature in black ink, appearing to read "P D Kendall", is written over a horizontal line.

**P D Kendall
Solicitor**

Cc. C Lilley
P Reynolds

Item 8(a)

REC. BY HAND. SEPT. 3rd.
D.SMART.



edmondson hall

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Waterbeach Parish Council
Council Office
Waterbeach Recreation Ground
Cambridge Road
Waterbeach
CB25 9NJ

Your Ref:

Our Ref: DH/jsm/S616.1

Date: 30th August 2013

Dear Sirs

Our Client: Mr David Smart
Allegations against our Client

We are instructed by the above-named client. We ask that you note our interest.

We have been provided with a copy of our client's letter to you of 8th August 2013, to which we understand he has not received a response and we have also received copies of the Minutes for the Parish Council's meeting on 2nd July 2013 and 6th August 2013.

We note that at point 48/13iii of the Minutes for the meeting on 2nd July 2013 it was reported by the Chairman that the Parish Clerk had resigned and cited the reasons for her resignation as bullying, harassment and intimidation by our client and two other Councillors.

We are instructed that the Clerk has now left her office and has provided an Exit Report.

Our client wishes for it to be noted on record that he refutes any allegations that he has bullied, harassed or intimidated the Clerk, that he has constantly barraged the Clerk with requests for information or provided additional work requests, refused to abide by legal advice or that his behaviour was in any way unacceptable. We would ask that you would note receipt of this letter and repeat its contents at the next Parish Council meeting and ensure that our client's rejection and denial of these serious allegations is recorded in the Minutes.

Our client also requests that the Council confirm that it will undertake a rigorous, thorough and objective investigation into any allegations made and that our client will have full opportunity to consider and respond to any allegations made involving him and that he will be provided with the appropriate documentary evidence to do so.

In the meantime, our client would like to be provided with a copy of the Clerk's resignation letter and Exit Report to verify the allegations that have been made. Please provide these documents direct to our client within the next seven days.

We note that Councillor Cornwell requested evidence of the allegations made by the Clerk and as this also applies to our client, we trust that you are actioning the dissemination of the relevant information although action to do so is not recorded in the Minutes.

We shall now look forward to hearing from you with confirmation that our above request will be actioned at the next Parish Council meeting and our client's response will be fully Minuted.

Yours faithfully,

EDMONDSON HALL

Direct email: dh@edmondsonhall.com

Item 8(b)

06/08/2013

Orchard Farm
School Lane
Chittering
Cambs.
CB5 9PW

Waterbeach Parish Council

Dear Clerk / Parish Council

As the council have approved the draft minuets of the parish council meeting held on 2nd July and these documents now become available for the public I would like to see evidence of the following accusations

- 1: Where and when have I barraged the clerk for information that has added additional work for the clerk?
- 2: How and when have I refused to abide by legal advice thus making it impossible for the clerk to do her job?
- 3: Evidence of where my behaviour was not acceptable and bringing the council into disrepute.
- 4: A copy of the clerk's resignation.
- 5: A copy of the clerks exit report

Look forward to hearing from you within 7days.

Yours Sincerely

Janet Cornwell

I would like it recorded that no evidence of the accusations have been received in response to the letter to the council despite asking for this within 7 days of receipt.

The contents of the letter we^{re} read out to the council and recorded regarding the accusations made by the chairman at the July meeting that I had been partly responsible to the resignation of the clerk Dr Jane Horsnell.

I have been advised to request that the council record a public apology of the accusations made against me.

Item 13

Skate Park Working Party

Notes of a meeting held on Friday, September 27th at 16.00

Present: Janet Cornwell (JC), Peter Johnson (PJ), Michael Williamson (MW), Joe Evans, Matthew Taylor, plus one other

Election of Chair and minute taker

JC was elected as Chair and MW agreed to take notes

Location of new facility

JC, PJ and MW had already walked around the rec and their ideas were discussed with the potential users. Two locations had been identified; the current location and a new one to the south of the Groundsman's store adjoining the hedge on the west side of the Recreation Ground. The advantages and disadvantages of the two locations were agreed as follows:

	Advantages	Disadvantages
Current location	Less groundwork needed, planning should not be a problem, electricity supply already close	Near houses, development would probably preclude expansion of play area
South of Groundsman's store	Further away from houses, no issues about children's play area, electricity supply not too far away	In green belt so planning permission could be a problem, groundwork could disturb ground source heating (GSH) of Tillage Hall

Actions: PJ agreed to investigate planning issues. JC agreed to look into GSH issue

Design

There was general agreement that a permanent, concrete structure would be better. The potential users agreed to investigate possible designs and layout.

Action: Potential users to discuss their preferences

Funding

MW pointed out that there were three possible sources:

- Grants
- S106 funds received by Parish Council
- Borrowing

It was agreed that we should try to maximise external grants and look at other sources once the total cost was known.

JC took away the list of potential funders prepared by Christine Taylor; she would contact Mrs Taylor for more information

Action: JC

Meeting closed: 17.10

Item 15 (ii)
District Councillors report October

I did attend the Transport Strategy meeting in Landbeach which was presented by Jeremy Smith who is the Transport & Infrastructure Strategy Manager at Cambs County Council.

He estimated the total amount needed to provide all the necessary infrastructure could amount to £200,000,000, the money would come from government and the balance from the developers but there was no idea what the ratio would be.

To create a new route for the A10 there are lots of hoops to jump through, environmental and health assessments would have to be completed, compulsory property buying for the new route is also a possibility but despite many rumours no new route for the A10 has been identified.

More cycle routes are being planned regardless of whether the development goes ahead or not and Mike Davies is the Project Manager for cycle schemes.

It was also stated that is planned for extra trains to stop at Waterbeach rather than mainly First Capital, but also such as Greater Anglia.

Cam Locks

I have been going through the S106 for Cam Locks and have given the section regarding seats and bins for the LAP to Kate Wood at South Cambs, i do not expect immediate action but I will be pressing for these bins and seats to be in place by Springtime next year.

Chapel Close

Last week I was called to Chapel Close as the road had been dug up without any notification to the residents of Chapel Close, this is unacceptable and informed the company responsible BT Openreach. They did say they do not have to inform people of forthcoming work but after I explained the situation with these elderly residents they agreed that in future they would give notice. While in the area I noticed how overgrown this area is with the hedge that borders Mr Dixon's property severely overgrown, the communal area is also very unsightly and gives the area a look of neglect. I did send photos to our housing department and they are planning to deal with this issue in October. One of the inspection covers in that area has been left proud of the pavement and I have requested that this is set properly to eliminate a tripping hazard.

Denson Close

Denson Close has a very similar problem to Chapel Close with overgrown vegetation and I expect that this will be dealt with after Chapel Close has been cleaned up.

Jubilee Close to Denny End Road Footpath

I had a meeting with Nicola Burdon from the County Council to inspect this footpath as I have had many people contact me regarding the condition of this footpath, it has been allowed to degenerate into a rough condition with weeds now growing through the tarmac and creating many tripping hazards. She has agreed to get quotes for killing the weeds off and then to get a quote for re-surfacing, with a bit of luck this may get done before winter sets in. This footpath has not been resurfaced since 1977 so I think this job is well overdue.

No 9 Denny End Road

As a result of No 9 being built as a 4 bedroom house yet the plans were clearly for a 2 bedroom house the S106 money to our Parish Council was underpaid, I have been in contact with South Cambs Planning and Enforcement sections and they will ensure that this is corrected.

Cycle Racks at the Station

Following many months of chasing the County Council I can confirm that these new undercover racks were installed on Saturday 28th September, I hope that this will mean that cycles will not be left alongside Lodeside Caravan Park as soon as people are aware of these new racks.

Bus Services

Cambridgeshire County Council is setting aside £40,000 out of the £1.7m pot of funding it has received from the Government for better bus services, our Parish Council is being asked for ideas on how we would like to see it spent, Suggestions need to be submitted by Monday 4th November. Successful bidders will be given the opportunity to develop their plans and establish project costs so that work can be implemented by the Governments deadline of 31st March 2014. Ideas could include new bus shelters, cycle racks, or real time displays. For more information please contact the County Council Transport Delivery Team via e-mail transport.delivery@cambridgeshire.gov.uk or phone on 01223 699906

Cemetery Signs

I am getting more phone calls regarding the sign at the end of the cemetery drive and we really need to get this done, I appreciate that there are more signs to be made up but please let us do the ones that are really needed now.

Waterbeach Court

Following on from the acquisition of Kingsmead Park or Waterbeach Park as it was changed to by the previous owners to Turners of Soham they have decided to give it another new name, from now it will be known as Waterbeach Court, they are allowed to do this it is private land and they are sole owners. The emergency services have been informed of this change.

Item 15(iv)

Report for Waterbeach Parish Council

Background to Response

This report is due to the writer requesting a short meeting with the Head of Waterbeach Community School to discuss matters appertaining to the Library, with no expectation of this meeting only taking place once the school had settled back into the academic year. There was no urgency, pressure, or even the mildest suggestion of confrontational aspects, purely a one to one meeting the Head had always advised she would prefer. The matters were never outlined as it was considered beneficial a resolution was reached by discussion with minimal formality, a short cordial meeting of some 20minutes duration, inconveniencing neither party.

The Head's response to my request was a refusal advising she and Ms Kay, Chair of the Parish Council, had decided they would meet, despite neither individual being aware of the content of the proposed discussion. Having considered we had built a favourable relationship with the school, many compliments having been received from teachers attending with classes on a Friday, this response was somewhat surprising but accepted.

However there had been a situation arise some months previous when, after nearly two years of a rubbish skip being "resident" outside the Library and no response to informal requests for it to be removed, we finally had to formally request it be moved as it was unsightly, dangerous for children bringing their bikes from the bike shed, numerous complaints had been received from the public and breached Health and Safety guidelines. There was no demand merely a request with suitable reasons provided for the removal. We consider this request may have some bearing on the refusal to meet, plus possible input from Ms Kay.

The proposed meeting between Ms Kay and Ms Green could be perceived at best as pointless, at worst as interference on the part of the Chair of the Parish Council as she is unfamiliar with the Library given her visits have been non existent, despite numerous invitations. In the circumstances it was considered a report should be compiled and forwarded to relevant parties as we try to follow the guidelines of openness and transparency urged by both local and national government.

Relevant Matters

Guttering -For some two years the Library had been bombarded with water cascading from gutters but despite numerous reports to the school, as per their requirements, no action was forthcoming. The problem was relatively simple to resolve given it was caused by the gutters seemingly incorrectly sealed resulting in water escaping through the open areas. An attendant problem was due to the gutters being full of soil and debris. We spent months wading through water in order to enter the Library, on occasions having to place wood sheets and cardboard over the water areas to enable Library members of all ages to enter the building. Both situations could have been resolved by an individual standing on a four step ladder to clear the gutters and reconnect them. Unfortunately the caretaker when asked if he could clear them advised he could not stand on a ladder as he had Asthma, which raised many questions in the minds of a number of taxpayers.

Eventually the gutters were attended to and we hoped it would be the end of the matter. However we now have the same situation with gutters not connected and water cascading onto the area surrounding the building. It would appear the work carried out was inadequate.

Fabric of Building – The Community Building is in need of refurbishment due partly to age. The decoration of the interior could be addressed with minimal financial outlay by Volunteers. Unfortunately the state of the exterior requires professional input. The problem has arisen due to water cascading from the gutters onto the woodwork resulting in the wood breaking away and rotting, therefore requiring replacing. The paint on the handrail is virtually non existent, wood splinters are obvious raising a Health and Safety hazard. This is not a new problem as the matter has been raised in the past without any response from those advised. As was stated many months ago by the writer one would have considered in this financial climate the watchword would have been "prevention rather than cure". Apparently this was not considered a sensible maxim.

Security of the Building – The lock on the Community/Library building is totally inadequate being flimsy, easily breached by any lightweight thief or vandal. One does have to query whether the insurers, or County Council are aware of this, and if unaware would the building and contents be covered should a situation arise. There are two locks on the door, previously both were utilised but I am advised after being changed by the school the second lock was rendered redundant. Within the Library there exists three computers, a brand new printer, WiFi equipment, cash box, many aspects relating to Data Protection, plus hundreds of books constituting a financial outlay by the Community. One would suppose some consideration would have been forthcoming as regards the security of such a building.

In the summer 2013 vacation the school arranged for a community group to engage in gardening within the school area, a positive project for the pleasant and enthusiastic young people within the group. However there was unfortunately a negative side as the Community group had apparently been advised they could store their shovels, spades, gardening gloves, buckets, in fact every piece of gardening equipment imaginable covered with filth and dirt in the kitchen of the Library/Community building, in essence the community kitchen was used as a garden shed by this group. Apparently the individual who allowed this to happen found this amusing, considering this was within their remit. Seemingly they had no concept of the Health and Safety aspects of their action in allowing this type of contamination to occur in a kitchen, particularly in a building where children visit regularly.

It should be noted we are convinced none of the teaching staff from the Head of school to office staff were aware of this action, nor do we consider they would have sanctioned such disrespectful and irresponsible behaviour.

During this episode the Library/Community building was left unlocked all day whilst the community workers were in place. On visiting the Library the young people were sitting on the fire exit steps in the middle of the afternoon drinking and eating without any sign of a supervisor, traversing in and out of the Library area - evident by the amounts of filth on the floor of the Library, fire doors were held open by waste bins, community financed refreshments were used without permission and the whole building pervaded with the stench of manure for a further two weeks. The building was left unsecured for anyone to walk into, steal what they wished and leave as security is not high on the agenda during vacation periods. It was hoped an apology might have been offered but none was forthcoming.

It would appear the basis for the lack of respect of the Library, Volunteers and Community in general is due to ignorance of the history of both the school and Community/Library building. Unfortunately if individuals dismiss history as unnecessary, or irrelevant, problems are bound to arise.

The school and Community have always worked well together. One only has to read the historical aspects of the building of the school hall which was financed by the villagers, apparently with the understanding all community groups could use the school hall free of charge. There has always been a genuine community aspect throughout past times. The Community has always tried to provide that which is required in order to raise the standards in the village.

This is evident when one looks at the history of the Community/Library building. The ramp, toilet, kitchen, chair store and storage cupboard were financed by Community funds, it was not provided by the Education Authority as appears to be the generally held belief of at least one County Council employee on the school site. Given these facilities were financed from community funds there should be acceptance of the community utilising these facilities without problems arising. However the Library is not allowed to use the chair cupboard even though stacking the chairs in the storage cupboard proved damaging to individuals in the past due to the chairs falling, raising serious concerns as to Health and Safety. Despite this attitude the Library has always been flexible trying to adapt to that which others require.

There requires a greater understanding of the reality of the situation. The Library pays for the use of the building providing a facility of great significance to the community, partially funded by the community, on a site wholly financed by the taxpayer through the County Council. The County Council support the Library but that support is only possible through the collection of taxes from the Community. The bulk of the finance provided by the renting of the Community/Library Room originates from the Library, the rental paid and insurance payments come from the Community purse, not from individual parish councillor's pockets.

The expectation surrounding a parish councillor is they should work for the community, adhering to the philosophy of transparency in government, recognising they are servants of the people - not their masters.

To quote two parish councillors re-election statements –
“ I am committed to inclusion, consultation and getting things done”
“We need to listen to our Community and work together”

There is a need to reflect upon statements made when wishing to be re-elected to ensure individuals do not engage in a delusionary state of considering that only they know what is best for the Community. Volunteers give freely of their time, energy, and considerable experience gained in many careers, to the Library and Community. We have a Library run by the Community, funded by the Community, for the Community - it is time to appreciate this fact and stop treating it and the Volunteers as second class citizens.

I apologise to those who have been subjected to this report, I personally would have preferred to sit for 20minutes to discuss matters with the Head of the Community School but unfortunately that was denied.

Maggie Crane
September 2013

Cc – Parish Councillors
Ms Jane Green – Head of Waterbeach Community School
Maurice Leeke - County Councillor
James Hockney – District Councillor
Christine May – Head of Libraries, Archives and Information
Jill Terrell and Marjorie Smith – County Library Service
CEO – Cambridgeshire County Council
Copies to Waterbeach Library