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Groby Parish Council

Minutes of an Extraordinary General Meeting of the Parish Council held at 7.00pm on **Friday 16th January 2009** at the Parish Council Chamber, Leicester Road, Groby

Cou/198/08-09 Present.

Members: Cllr. P Batty (Chairman), Cllr. J Batty, Cllr. Beck, Cllr. Emmerson, Cllr. Hodges, Cllr. Hollick, Cllr. Jones, Cllr. Lindsay, Cllr. L. Smith, Cllr. D Stockill and Cllr. Yarwood.

Also in attendance: some 20+ members of the public.

Cou/199/08-09 Appointment of Clerk for the Meeting.

The Chairman pointed out that as the Clerk to the Council was unable to attend due to a prior commitment, members would need to appoint a Clerk for the meeting and asked for volunteers. Cllr. Lindsay offered to take the role of Clerk for the meeting, proposed by Cllr. Hodges, seconded by Cllr. J.Batty.

RESOLVED, to appoint Cllr H Lindsay as acting Clerk for the meeting.

Cou/200/08-09 Apologies.

There were apologies for absence from Cllrs. Marvin, J. Smith and Cartwright. These apologies were accepted by the meeting.

Cou/201/08-09 Declarations of Interest.

Personal interests were declared by: Cllr. P. Batty
Cllrs. Hodges and L. Smith for having requested the meeting

At this point the Chairman gave a brief introduction explaining why the meeting had been called. He explained that a number of letters and emails of complaint had been received relating to Cllr. Cartwright. Also a petition calling for Cllr. Cartwright's resignation had been received by the Council. Furthermore, another serious matter of potential misconduct by Cllr. Cartwright had been drawn to the Chairman's attention and, therefore, when he had received a request from two Councillors to call an Extraordinary General Meeting of the Parish Council to consider a motion of No Confidence in Cllr. Cartwright, the Chairman was left with little choice but to accede to the request for the EGM.

The Chairman also stressed that the Parish Clerk had confirmed the legality of the meeting with the Monitoring Officer of the Principal Authority, i.e. Hinckley & Bosworth Borough Council and that he was concerned, as was the Parish Clerk, that a rumour had been drawn to his attention claiming that the meeting was illegal.

Cllr. Jones asked which two Councillors had called for the meeting, the Chairman distributed copies of the request and confirmed that it had been Cllr. Hodges and Cllr. L. Smith.

Cllr. Hollick stated that the issues were nothing to do with the Council. The Chairman rejected that claim, pointing out that the motion was legal and within the remit of the Council and that the issue of potential misconduct was against the Council and a Council employee. He referred to a potential breach of the Parish Council's Code of Conduct relating to an attempt to use the Council's resources to obtain a political advantage.

Cllr. Yarwood asked if a Councillor could bring up a political issue and what Cllr. Cartwright was being charged with? The Chairman replied yes, Councillors could bring up political issues but could not attempt to use Council resources for political purposes and referred to the Code of Conduct in context to the potential misconduct. He confirmed that the Council was here to consider a motion of "No Confidence" and not to "charge" Cllr. Cartwright with anything.

Cllr. Hodges stated that he had growing concerns for with Cllr. Cartwright's behaviour and had been

considering bringing his motion for some time and was prompted into doing so by recent events.

Cllr. Beck challenged whether Cllr. Cartwright's email was anything more than an innocent enquiry. The Chair read out the content and emphasised the wording, pointing out that this was clearly more than just an innocent request and that Councillors knew full well that it was the policy of the Council not to display party political material but he also pointed out that it could be unlawful to do so.

The Chairman had to deal with interruptions from Cllrs. Jones and Hollick and warned Cllr. Jones that he would not tolerate any further interruptions or comments and that he would only allow questions through the Chair when people were called to speak in the correct manner.

Cllr. Emmerson stated that it was not for the Council to deal with these issues but that they should be referred to the Standards Board. The Chairman replied that he had already confirmed that the meeting was legal and that it was within the remit of the Council to consider a motion of "No Confidence" if proposed and seconded. While considering the motion it may well be that Standards Board issues may arise and that those issues could then be referred to the Standards Board but he stressed that it was not in the remit of the Standards Board to consider motions of "No Confidence" but only potential breaches of the Code of Conduct.

The Chairman then asked members if they wished to hear agenda item 4 before public participation in order that members of the public could first hear for themselves the reasons why Councillors had felt it necessary to call this meeting and that would make it easier for them to ask questions. The Chairman invited a proposal to change the order of the agenda, none was forthcoming.

At this point the Chairman suspended Standing Orders:

At 7.25pm the Chairman suspended Standing Orders and adjourned the meeting for a period not exceeding fifteen minutes for period of public participation for questions relating to the agenda items to be asked or concerns to be raised.

Cou/202/08-09 Public Participation.

A fairly lengthy debate ensued with Councillors and members of the public voicing opposing views, some quite strong, on the business in hand. The subject drifted towards the merits or otherwise of the HBBC leaked proposals for proposed Gypsy/Traveller allocations for Groby and Cllr. Cartwright's stance.

Cllr. Hollick digressed from the main purpose of the discussion by suggesting that the Parish Council offered HBBC an alternative site that it owned on Anstey Lane. This provoked some strong reaction of opposition. The Chairman came to Cllr. Hollick's defence and asked for patience and suggested that Cllr. Hollick was entitled make a proposal but that we were losing track of the subject of this meeting. He promised Cllr. Hollick that his proposal would be discussed at the next Parish Council meeting.

With the agreement of the Council the Chairman extended the period of Public Participation to allow as many people as possible to be involved in the discussion about the motion to be considered by the Council.

After a healthy exchange of views it became clear that there were differences of opinions involving both Councillors and members of the Public but that everyone present had been able to ask questions or express a view.

At 8.08pm the Chairman re-instated Standing Orders.

Cou/203/08-09 Performance of Parish Councillor Martin Cartwright.

A motion for discussion was put forward for by Cllr. Hodges and seconded by Cllr. L. Smith to consider a vote of "No Confidence" in Cllr. Martin Cartwright in respect of his performance on behalf of the residents of Groby and in respect of his conduct and his disruptive behaviour.

Cllr. Hodges as the proposer of the motion opened the discussion stating that he would need ten minutes to outline his reasons for the motion being brought, stressing that he would stick to facts not supposition and he then outlined a list of his growing concerns in some detail and stressed that he had not taken the decision lightly to propose this motion but felt that Cllr. Cartwright's divisive conduct and poor performance had left him with no alternative and that Cllr. Cartwright's e-mail to the Parish Clerk dated 4th January 2009 had been the final straw.

Cllr. L. Smith then spoke in support of the motion outlining his concerns about Cllr. Cartwright in some detail and also referred to Cllr. Cartwright's divisive conduct, referring specifically to a recent example of alleged unacceptable conduct in attempting to undermine the Parish Council's efforts on behalf of our community, this example being referred to him personally by Groby residents.

Following a further discussion and exchange of views by Councillors, a formal proposal was put forward by Cllr. Hodges and seconded by Cllr. L. Smith that "This Council pass a formal vote of No Confidence in Cllr. Martin Cartwright in respect of his conduct and performance and in light of numerous complaints by Groby residents"

RESOLVED: *"This Council pass a formal vote of No Confidence in Cllr. Martin Cartwright in respect of his conduct and performance and in the light of numerous complaints by Groby residents."*

Votes For the resolution (7): Cllrs. Hodges, L. Smith, J. Batty, Yarwood, Stockill, Lindsay & P. Batty

Votes Against the resolution (4): Cllr. Hollick, Jones, Beck & Emmerson

Following a debate in respect of concerns that Cllr. Martin Cartwright may have breached the Parish Council's Code of Conduct and abused his office as a member of this Council in attempting to use his position to gain an improper advantage for himself or others by the use of Parish Council resources for Party Political purposes, it was proposed by Cllr. Hodges and seconded by Cllr. L. Smith:

RESOLVED: The following resolution was passed:

Votes for the resolution (6): Cllrs. Hodges, L. Smith, J. Batty, Yarwood, Lindsay & P. Batty

Votes against the resolution (4): Cllrs. Hollick, Jones, Beck & Emmerson

Abstentions (1): Cllr. Stockill

"Groby Parish Council condemns the actions of Cllr. Martin Cartwright and submits a formal complaint to the Standards Board in respect of his conduct in relation to his e-mail dated 4th January 2009 to the Parish Clerk.

- 1. That Cllr. Martin Cartwright by his actions as contained in his email dated 4th January 2009 addressed to the Parish Clerk, breached the Parish Council's Code of Conduct by attempting to compromise the impartiality of an employee of Groby Parish Council, i.e. the Parish Clerk;*
- 2. That Cllr. Martin Cartwright by his actions as contained in his email dated 4th January 2009 addressed to the Parish Clerk, breached the Parish Council's Code of Conduct by attempting to use his position improperly to gain Party Political advantage for himself and others;*
- 3. That Cllr. Martin Cartwright by his actions as contained in his e-mail dated 4th January 2009 addressed to the Parish Clerk, breached both the Groby Parish Council and the Hinckley & Bosworth Borough Council's Code of Conduct by bringing his Office both as a Parish Councillor and a Borough Councillor into disrepute and further that he brought both Authorities into disrepute as the email stressed that it was being sent by him in his official capacity as a member of both Authorities.*

There was no further business.

The meeting closed at 8.39pm

Signed
Chairman

Date