

MINUTES OF AN EXTRAORDINARY MEETING OF CROSSWAYS PARISH COUNCIL HELD ON THURSDAY 5TH JULY 2007 IN THE SCHOOL HALL, FROME VALLEY FIRST SCHOOL AT 7PM TO DISCUSS A MOTION THAT THIS COUNCIL HAS NO CONFIDENCE IN COUNCILLOR DAVE SMITH AND CALL ON HIM TO RESIGN HIS POSITION AS A CROSSWAYS PARISH COUNCILLOR

Present: Cllr Daniel Smy (Chairman), Cllr Joyce Rhodes (Vice Chairman), Cllr Valerie Bache, Cllr Andrew Brewer, Cllr Terrie Connor, Cllr Geoffrey Northcote, Cllr Caroline Round, Cllr David Smith, Cllr Thelma Smith, Cllr Elaine Stenning and Cllr Abi Scard.

Also Present: Members of the Public

1. Cllr Smy opened the meeting explaining that the agenda was for a vote of no confidence in Cllr Dave Smith and a call for his resignation. Cllr Smy informed the meeting that there would be 30 minutes of public participation, extended to 45 minutes if needed. Following the public participation a vote would be taken either by secret ballot, a recorded vote or a show of hands. Cllr Smy asked that members of the public do not repeat a previous speaker. Cllr Smy invited public participation.

2. Mr Peter Tizzard claimed that Cllr Dave Smith wanted to plant trees on the sports field, and have the remaining field open only to organised, pre-booked games. Mr Tizzard claimed Cllr Smith was out of order and should not remain as a Councillor. A Councillor should help not hinder and to close the sports field to only organised, pre-booked games is not the way ahead. Mr Tizzard asked the Council to support interest in sport.

3. Mr Alan Brown (Chairman, Crossways Football Club) informed the meeting that he had received visit and phone calls from parents of children who had been told they cannot play near the Pavilion. Mr Brown said we are not fighting developers or road builders wanting to close the sports field by our own Councillors. Mr Alan Brown said the Council need to nurture places for children to play. Scout leaders give their time freely to the village and Cllr and Mrs Smith seem to be using their self interest to over-ride the children's freedom to use the sports field.

4. Mr John Sherlock asked to put questions to the Council:

- a. Can the public be advised of the reasons for this meeting?
- b. What is the purpose of this meeting?
- c. The use of the playing field needs clarification.
- d. Are there any proposals to limit use of the sports field? Cllr Smy answered No.
- e. Are the Council planning to reduce maintenance of the sports field? Cllr Smy answered there were no plans to reduce maintenance.
- f. Has the Council received any letters of complaint against Cllr Smith? Cllr Smy replied that the Council had received two letters of complaint from the parents of a beaver who was present on the sports field during the matter in question.

g. Has the sports field any covenants? The Clerk reported it had.

Mr Sherlock hoped that some clarification had been received.

5. Mary Warshaw gave an historical insight into the origination of the sports field. Mary questioned whether recent events warranted Cllr Smith dismissal but deplored the fact that meetings were being held privately and said she thought Councillors seem to have their own private items and vested interests and some things are presented to the residents without prior consultation. Mary sympathised with residents of Egdon Glen and Briars End but the Council is elected to represent the residents. Mary asked that a proposal is put before the Council to heighten and build fences but ask that they do not cut down trees.

6. Mr Priddle introduced himself as being a Councillor when the sports field was in its earliest stages. Mr Priddle questioned the notices placed around the Village as being illegal as they had no signature and no printer's details. Mr Priddle further stated that if locked gates are put on the sports field he will inform the Parish Council that they are in danger of breaking the law. The sports field is to be used by all and should be used as a safe 'off street' playing area.

7. Mrs Doreen Kendrick's observations are attached at Annex A to these minutes

8. Mrs Jenny Gibson stated that she has lived in Crossways for 22 years it is worthy of note that efforts have been made to give the youth of the village increased facilities. Mrs Gibson claimed that Cllr Smith had verbally abused children when they were playing on the sports field. Mrs Gibson said children are part of the Village. Cllr Smith has spoken to her son on several occasions stating that the field was private and he was not allowed to play on it. Mrs Gibson further said after one of these occasions she phoned Cllr Brewer (the Parish Council Chairman at the time) who confirmed that children were allowed to play on the field. Mrs Gibson concluded that Cllr Smith had only lived in the Village a few months and has frequently complained about the sports field use culminating in his verbal and written complaint regarding the Beavers using the field for their football tournament.

9. Mrs Angela Smy acknowledged she has been a resident of Crossways for 32 years and thanked Andrew and Mary Brewer for all the hard work they put in on behalf of the Village, play groups, beavers, scouts, brownies and pantomime. Prior to the sports field being in Crossways footballers etc had to use the field at Moreton. Now Crossways has a sports field and she hoped it remains for her grandchildren to play on. Now, she says, residents have moved in to Egdon Glen and allegedly want the sports field closed or its use restricted. Mrs Smy stated that this facility must carry on; why let a minority of people take the sports field away. Mrs Smy called upon Cllr Smith to stand down and restore harmony to Crossways and bring back good community spirit.

10. Mrs Angela Cole said she had previously attended Council meetings where Councillors confirmed that the no ball games signs on the Yalbury Road green would be agreed. Mrs Cole questioned where can they play if they go to the sports field and are not told to leave?

11. Mr John Chubb introduced himself as an ex Parish Councillor who for 6 years, along with his colleagues worked hard to get the football pitch up to a good playing standard and now the teams are playing again. There are newspaper reports of *Cllr D Smith and Cllr (Mrs) Smith criticising the then Parish Council for wasting the money spent on the sports field.

* At this time of this newspaper report Mr & Mrs Smith were not Councillors.

Mr Chubb also reminded those present that the Council had worked towards getting a MUGA, stating that the residents had expressed a wish for a MUGA (Multi Use Games Area).

Mr Chubb stated that during the planning application for a MUGA letters had been circulated, without a signature, misinforming residents about the dimensions and floodlighting of the MUGA. The people involved in these objections are now Parish Councillors. Mr Chubb reminded the meeting that Parish Councillors must do their best for the whole village, if you verbally abuse children you should not be on the Parish Council.

12. Mrs Angela Cartwright expressed her disappointment that the MUGA has not yet been built. Mrs Cartwright said sometimes a stray ball will go into a garden but children on the whole are polite and respectful and deserve to be treated the same and they must have their playing fields.

THE MEETING

Cllr Smy called the meeting to order.

ITEM 1 APOLOGIES FOR ABSENCE There were no apologies for absence.

ITEM 2 TO CONSIDER A MOTION RECEIVED ON THE 28TH JUNE 2007 FROM COUNCILLOR TERRIE CONNOR THAT;

THIS COUNCIL HAS NO CONFIDENCE IN COUNCILLOR DAVE SMITH AND CALL ON HIM TO RESIGN HIS POSITION AS A CROSSWAYS PARISH COUNCILLOR

Cllr Connor read the following statement proposing the motion:

“Mr. Chairman, colleagues, it is with regret that I stand before you today and propose the motion before us this evening.

It is important that I outline my reasons for proposing the motion of no confidence in Cllr. Mr. David Smith; It is my view that Cllr Mr. David Smith has through his actions on the weekend of 2/3rd June and subsequent refusal to apologise and make good any bad feeling he caused has now brought our Council and the village we live in into disrepute.

Even if Cllr. Mr. David Smith was acting in as a private citizen, he was a Parish Councillor, and the code of conduct clearly states that being rude to members of the public is a breach and should not occur. Furthermore to challenge Mrs. Mary Brewer as to the validity of the booking of this event means that surely he was acting as a Parish Councillor, as why did he want to know?

Over the last Twelve months, Cllr. Mr. David Smith has in public made clear that he has issues relating to the Sports field, namely the proposed construction of the MUGA, the use of the basket ball area, and noise related issues. In light of this, he should have thought carefully before challenging the local Scouting movement who were legitimately using the Village Sports Field. His actions, evidenced in two letters received and responded to by our Chairman resulted in a very unnecessary feeling of animosity toward the Parish Council, even to the point that some residents believed quiet wrongly that the Parish Council were considering its closure. His repeated visits to the field to condemn our young people who are using the field surely is not how a Parish Councillor should conduct himself, and several concerned parents have come to me

stating their children are worried that if they use the field, that Cllr. Mr. David Smith will apprehend them and order them off the field.

The Village Sports Field is and should remain a safe area for young and old alike to enjoy not only for sport but also as part of the Village Community. Regrettably it is clear to me that his actions since he became a Parish Councillor have been to challenge the use of this field by us all. I am afraid his obsession with regard to the Sports field has reached the point that he is not conducting his duty as a Parish Councillor in accordance with the code of conduct.

I am concerned that Cllr. Mr. David Smith has refused to answer the letter by our Clerk sent on behalf of the Chairman to release his complaint letter he sent to the Chief Scout. This failure leads me to two possible conclusions, 1. He did mention the Parish Council in his correspondence, 2. That he has something to hide and as such knows he has acted incorrectly, this behaviour is untenable, no body on this Council should ignore the Clerk and Chairman.

By writing to the Chief Scout, without consulting his Chairman shows in my opinion his complete disregard to due process, our chairman had quiet rightly responded to complaints about Cllr. Mr. David Smith's conduct, and Cllr. Mr. Andrew Brewer acknowledged that these letters had calmed the situation and hopefully had bought the matter to a diplomatic closure. However, Cllr. Mr. David Smith has felt it appropriate to escalate the matter to the Chief Scout, further causing considerable unrest within our Village community. His actions are making the reputation of our Council come into question, the people we represent are cross that the reputation of the Scouting movement be called into question. The local Scout leaders give themselves to serve our young people; we should be BACKING them, not trying to stab them in the back.

If we as a Council are to restore confidence in ourselves we have no option but to move this motion of no confidence. As I said at the beginning of my speech Cllr. Mr. David Smith has had every opportunity to rectify this situation, he has failed to do so. Failure to support this motion this evening will, I regret to say show that we do not deserve the respect of the people we are here to serve.

I want to conclude by saying that apart from this sorry saga I remain committed to working with new councillors elected in May. Yes I was cross at the meeting on 17th May 2007; however, apart from this mess I remain confident that new and old serving Councillors can if we remain focused on the good of the Village as whole can make a difference.

However, I say to you tonight we can only do this by ensuring that self interest and inappropriate behaviour is not tolerated.

I therefore ask that for the good of the Village and the good name of the Council, that as members we deal with this tonight. We cannot carry on as we are at the moment.

This proposal was seconded by Cllr Caroline Round who stated that she fully supports this motion,

The Chairman asked for Councillor's comments

- a. Cllr Valerie Bache – report to follow
- b. Cllr Abi Scard stated that as a new Councillor she deeply regretted having to

make such a decision and she has sought information from all parties involved. Cllr Scard informed her fellow Councillors that although she may be inexperienced she is not ignorant and she was deeply offended to feel that certain parties felt that they could use her to their own ends and advised them not to put her in that position again. Cllr Scard asked that the Council vote on moral grounds and she was at this moment ashamed to be part of the state of affairs that has brought the Council to this meeting tonight. She stated that the notices should not have been put up and she felt that the Village has a right to ask all the Council to stand down.

(Cllr Brewer asked the Clerk to confirm that the notices were not produced by, or on behalf of the Council – this the Clerk confirmed).

c. Cllr (Mrs Smith) read out a letter written by the one of the previous owners of her property in 1990. Cllr (Mrs) Smith declined to make a copy of this letter available to the Clerk for these Minutes.

d. Cllr Elaine Stenning informed the meeting that she lives on Oaklands Park and she was very much aware of her position as a Councillor when she wishes to speak about matters pertaining to Oaklands Park and she informs the Clerk or the Chairman before taking any action. As a Councillor you must declare a personal interest and be careful how you act. You must not send letters stating you are a Councillor and then refuse to allow the Council to see a copy. Cllr Stenning asked why Cllr Dave Smith has still refused to allow the Council to see the copy of the letter he sent to the Chief Scout.

e. Cllr Dave Smith stated that everybody is entitled to his/her opinion and he has rights. Cllr Smith stated that his actions were a private matter and he acted as a property owner. He expressed his surprise that no-one had called or fronted him on this matter respectfully suggesting that this person did not have the courage to do so. Cllr Smith stated again he acted as a private individual on a private matter.

f. Cllr Smy informed the meeting that Cllr Smith has bought his reputation into question. Cllr Smy informed the meeting that he had asked for a copy of the letter Cllr Smith sent to the Chief Scout and this has been refused. Cllr Smy stated if Cllr Smith stated he was a Parish Council; the Clerk should receive a copy. It was hopeful after the complaints about Cllr Smith's actions on the weekend of 2/3 June the matter would rest but Cllr Smith wrote a letter to the Chief Scout making allegations against Andrew and Mary Brewer referring to his position as a Parish Councillor – this has brought the Council into disrepute. Cllr Smy stated that Cllr Connor has clearly outlined Cllr Smith's actions and urged the Council to support this motion.

Cllr Smy asked for a recorded vote:

Cllr Smy	For
Cllr Rhodes	Abstain
Cllr Bache	Abstain
Cllr Brewer	For
Cllr Connor	For
Cllr Northcote	Abstain
Cllr Round	For
Cllr Smith	Abstain
Cllr (Mrs) Smith	Abstain
Cllr Stenning	For
Cllr Scard	Abstain

MOTION CARRIED

Cllr Smy confirmed the vote was for the motion and asked Cllr Smith to resign. Cllr Smith declined.

Cllr Smith informed the public that Cllr Smith had refused to resign. Cllr Smy expressed his disappointment at Cllr Smith action and stated that the matter would now be taken to the Standards Board for England to adjudicate. Cllr Smy asked the Council to move forward and continue to work with him for the good of the Village.

There being no other business the meeting closed.

Signed (Chairman)2007