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Stratfield Mortimer Parish Council – By Hand

Dear Cllr. Dennett,

I was disappointed not to be co-opted onto the Council but I accept the result.

My view remains that the Council is very poor on procedural matters and has a chronic overpayment problem in respect of administration. I feel capable of improving both these shortcomings and with this in mind intend to stand again at the next election. A method of increasing my chances of success is to distribute a flier similar to the one produced by Cllr. Audsley at the recent by-election; I have mixed feelings about doing this. Any flier that I produce is likely to be critical of the Council. With this in mind I append some basic facts and invite your comments:

- 1 There are other councils of broadly similar size which spend less than half of what you do on clerking. Some other councils of a similar size are spending 832 hours annually as against your 1500. I also believe some other councils pay an hourly rate about £5.00 less than you do. Since I first raised this with the Council I assess that you have overspent by over £130k.
- 2 Contrary to a statement made by the auditor I do not accept that you have robust financial controls. You do not publish your Financial Regulations but I have looked at the regulations of other councils. It cannot be right for two councillors to sign for enormous amounts of overtime without referring the details back to the council on a monthly basis. Looking at other public sector agreements, the right to be paid regular overtime ceases around spinal point 28 and the Clerk is on a higher grade.
- 3 The current Code of Conduct does not comply with the statutory requirements and is badly drafted; this appears to be a Stratfield Mortimer problem. From minutes the Clerk has been involved with 'customising' the standard document. NALC states the 'a local council cannot delegate to staff responsibility for ... adopting or revising the council's code of conduct'. You may also note that NALC are emphatic that the clerk 'cannot give legal advice at the meeting unless he is a qualified legal professional'.
- 4 Every set of minutes still mentions dispensations and I as a member of the public have no idea what has been granted and for what reason. This is not transparent and completely contrary to the ideals of localism. My view is that the Council does not deal with dispensations in respect of LGA s31(4) (conflicts of interest) correctly. For example the Council agreed a commitment to spend £20k on BT's high speed broadband. One of the councillors at the time was a BT employee and therefore had an undisputable pecuniary interest. There is no record of him not

voting or withdrawing from the room. He has a solid argument that he did not need to do so, because at the start of the meeting the Clerk had granted all councillors a dispensation. For a valid dispensation to be granted the councillor has to make an application to the clerk and the council votes on whether one should be granted. The Code then gives two possible reasons and in my view neither of them remotely applies in this case. The Clerk was therefore trebly wrong to grant the dispensation. It is very important because the councillor rendered himself liable to a fine of up to £5k. It is my understanding that as the Clerk has assisted in the crime she may also have been liable to the same punishment.

- 5 In the past I have made the offer to improve your three main control documents which are currently very poor. You have not come back to me; I make the offer again.
- 6 For the avoidance of doubt I make the following statement. On 4th September 2007 I wrote a letter making seven complaints concerning the Clerk. I followed the correct procedure to have it put on the agenda but it did not appear and I did not get a satisfactory explanation. It is a fact that the Council has failed to deal with these complaints properly. In my view this entitles me to be more critical of aspects of the clerking than would otherwise be the case.

The above represents some of my honestly held beliefs and I am confident of being able to prove every statement. If there is anything that the council disputes I am sure that you will agree that it is in both our interests to resolve the fact amicably. I am happy to meet at your convenience.

Yours sincerely



Chris Lewis