

Mrs Clare Cotterell
Parish Clerk Abbots Ann Parish Council
c/o Homeleigh
Jacks Bush
Lopcombe Salisbury
SP5 1BZ

13 August 2018

I write in support of Graham Platford's letter of 19 July 2018.

Item 9.b. Of the Draft Parish Council Minutes of 5 Jul 18 quotes Cllr Hayter as stating that "PCC were previously asked to provide an expert opinion or evidence of incidents/accidents relating to the condition of the paths i.e. excerpts from accident book.". If that statement was his take on Item 4. of the draft PC Burial Ground Committee (BGC) Minutes of 24 Jan 18 then Cllr Hayter misquoted a draft Minute which was itself incomplete.

Paragraph 3 of Item 4. of the draft BGC meeting Minutes of 24 Jan 18 states - "It was noted that incidents have occurred in the past relating to the paths and the PCC may hold some records. Cllrs asked the PCC to provide the PC with a copy of any records held for their information. Action-PCC to provide evidence of path related incidents recorded in their incident book." There was no mention at Item 4 of the PCC being asked to provide an expert opinion. I was pressed by two councillors to justify why the PCC felt the footpaths needed repair and responded that that was for the Parish Council to determine, not the PCC. Neither was the word evidence used at that meeting. It only appeared in the Minutes of that meeting.

Whilst I cannot comment on what was actually said at the 5th July meeting, I would be grateful if it was made clear at the next Parish Council (PC) meeting that Cllr Hayter's minuted statement at Item 9.b. was factually incorrect.

I repeated the PCC's position on responsibilities for Churchyard maintenance in an email to all councillors on 25 Jan 18, when I was asking to be allowed to speak at their next council meeting, stating - "How that maintenance is carried out is for AAPC to decide, so long as both Councils comply with any relevant Faculties and their Conditions.".

Graham Platford was correct in stating in his letter to you of 19 July 18 that "How the PC carries out that duty is entirely a matter for the PC: it is not for the PCC to determine what needs to be done or to assess the risks posed by failure to fulfil that obligation.".

Further:-

The Report on page 36 of the Andover Advertiser of 3 August 2018 would seem to be more thorough than your draft Minutes of the 5th July PC Meeting. It attributes several statements to the PC Chairman, made during discussions of Item 9.b. Of particular note were his statements that "Councillors were guardians of a very small pot of taxpayers' money and they could not spend it on 'vanity' projects, just making something look nicer. He had asked the PCC to provide expert opinion that the paths were unfit, or records of incidents in the PCC's accident book. As nothing had been forthcoming, the repairs were not a top priority.".

If the Report is correct it would appear that the churchyard footpaths project has gone from being

agreed as necessary by the PC's chairman, and clerk, and the PCC Chairman at a meeting of the Village Burial Ground committee in May 2014, to being approved in the PC's Churchyard Maintenance Plan in July 2015 (with £3000 budgeted for it) to being a 'vanity project' in July 2018 solely on the say so of Cllr Hayter.

It has already been made clear that the Chairman's statement on the PCC being asked to provide expert opinion was incorrect and not recorded in any PC minutes. Neither is there any record of the footpaths project being properly discussed under an agenda item at any recent PC meeting. It would appear therefore that the statements on the PCC being asked for expert opinion and the decision that the repairs were not a top priority were solely Cllr Hayter's. In which case he has been ignoring PC Standing Orders which state at Section 26. - :-

- a. Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.”

Surely is not up to Cllr Hayter alone to decide how the Council meets it's legal obligation to maintain the Closed Churchyard, but for the whole council after a proper risk assessment has been made.

I ask that this letter also be included in the agenda for the next meeting of the PC.

Yours sincerely

Gordon Howard
Member Abbots Ann Parochial Church Council