



Kingshurst Parish Council

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Clerk to the Council: Paula Coyle

Minutes of the meeting of

Emergency General Meeting (EGM)

on Monday 4th December 2023, 6.30pm,

at Kingshurst Library, Marston Drive, Kingshurst

Council Members: Cllr D Cole (chair), Cllr B Donnelly (Vice-Chair) Cllr L Cole, Cllr S Daly, Cllr M Frampton, Cllr J Edwards, Cllr M Asante, Cllr J Kimberley, Cllr L Baillie, Cllr L Browning, Cllr M Brain Cllr S Golby

Council Members not Present: Cllr M Brain, Cllr S Golby

In Attendance: No Members of the public

Paula Coyle

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Clerk to Kingshurst Parish Council

Item		Action
1.	Welcome and Housekeeping: Chair Cllr D Cole welcomed everyone to the meeting of Kingshurst Parish Council and went through housekeeping rules	
2.	Apologies: Apologies were received from Cllr M Brain and Cllr S Golby Resolved: That all the above absences are approved. <i>Cllr Kimberley raised a point that the EGM meeting was not advertised; the clerk confirmed that the EGM was correctly published on the website and on the library door. This was checked and confirmed by 3 Councillors.</i>	

3.	<p>Declarations of disclosable (pecuniary and other) interests: None</p>	
4.	<p>Dispensation requests: None</p>	
5.	<p>Public Participation.</p> <p>To adjourn to allow public participation for 15 minutes. Members of the Public are invited to speak in Public forum for a maximum of 5 minutes on any subject covered by the agenda and should give their name and subject to the Clerk before the meeting commences. Councillors will not comment on agenda items in the Public forum any items brought to Council not on the agenda may be considered for future meetings on written application to the Clerk or Chairman. Total time allocated to Public forum will not exceed 15 minutes in accordance with Standing Orders).</p> <p>No Members of the public attended the meeting</p>	
6.	<p>Councillors allowance Councillors allowance - Members are to review the monthly allowance payment that is presently in place, it has been brought to the attention of the council that these discretionary payments have been perceived by certain members as a monthly salary.</p> <p>6.1 Resolved: That all Councillors present have confirmed individually that they are not employees.</p> <p>6.1(a) Resolved: Working party to discuss further,meeting to be arranged with the delegated working party</p> <p>A Suggestion has been raised that allowance payments should only be paid in small lump sums to stop any doubt that members are Not employees.</p>	
7.	<p>Exclusion of public and press.</p> <p>To consider the exclusion of the public and press from the discussion of confidential items under section 1 Public Bodies (Admission to Meetings) Act 1960.</p> <p>7.1. Vote of no confidence.</p>	

Meeting was suspended at 6.55pm for Cllr John Kimberley to leave the meeting, Cllr Kimberley left of his own accord and was not asked to leave by any member of the parish council.

Motion - Vote of no Confidence in Councillor John Kimberley.

Councillors have lost all confidence in Cllr Kimberley's capabilities as a parish councillor to represent the views and interests of the community of Kingshurst parish whilst observing his obligations under the code of conduct.

Resolved: Councillors voted in favour of the no-confidence motion in Councillor John Kimberley - **7** councillors voted for the motion **2** councillors voted against

Following the vote, which does not impact the council's ability to remove John Kimberley as a councillor, it would not be binding but would be used to send a clear message.

The requirements of the Nolan principles which demand of councillors integrity, courtesy and leadership and a vote of no confidence should highlight the absence of the principles in John Kimberley.

All Cllrs have read the emails that Cllr Kimberley had sent to stakeholders in order to cause embarrassment to this parish council and bring the council into disrepute (14/11/23)

Showing respect to others is fundamental to KPC as representatives for our community in this new term 2023, we recognise it is important to treat others with respect and to act in a respectful way. Rude offensive and disrespectful behaviour lowers the public's expectations and confidence in its representatives

7.1(a) Resolved: A referral under the Code of Conduct to the Monitoring Officer

7.2(b) Resolved: Further allegations, false or malicious allegations which damage the reputation of a fellow councillor or the clerk and the corporate body (Kingshurst Parish Council) will not be tolerated and will be dealt with as a serious misconduct under the Disciplinary Procedure a referral to the Monitoring Officer and a referral to the Parish Council's solicitors will follow.

Cllr Frampton gave his apologies and left the meeting.

<p>8.</p> <p>8.1.</p> <p>8.2.</p> <p>8.3.</p> <p>8.3(a)</p> <p>8.3(b)</p> <p>8.4.</p>	<p>To appoint Employment Law Services</p> <p>Due to the fact that the complainant is not a employee the parish council insurance will not cover these cases</p> <p>Email sent to all councillors - Peninsula Proposal for Employment Law Services</p> <p>Resolved: All councillors have received and read the proposal from Peninsula</p> <p>ACAS case number 1304632/2023 Date: 21st June 2023. The claimant has suggested a COT3 agreement with a financial settlement to be put into place. Resolved: The parish council has decided NOT to accept the proposed COT3 agreement. Case number 1304632/2023</p> <p>ACAS case number 1307644/2023 Date: 1st November 2023 - The claimant has suggested a COT3 agreement to be put into place.</p> <p>Resolved: The COT3 agreement the claimant is to receive all minutes agendas and reports in enlarged font size 30, and will ensure to spell the claimant's name correctly in all correspondents. These are not unreasonable adjustments or requests and the parish council has agreed to the COT3 agreement without any liabilities and any further complaint from this action.</p> <p>Resolved: Claimant will sign an acknowledgement form in font 30 any minutes, agenda, reports or any other correspondent paperwork that she receives The clerk has asked for it to be minuted that the claimant has acknowledged she has always received paperwork in enlarged copies font size 26 or 28 previously to this ACAS agreement.</p> <p>Resolved: The claimant will be sent an enlarged copy of the correct procedure to follow if she has any further issues or complaints.</p> <p>The claimant has stated that she doesn't want to receive emails or be included into email chains as she finds them difficult to read. The clerk will keep on file all emails that have been sent to councillors and will arrange to go through the emails with the claimant at her convenience.</p> <p>To agree and approve the Peninsula Proposal. Resolved: Peninsula proposal agreed</p>	
<p>9.</p>	<p>Meeting closed at 7:15pm</p>	

