

**MINUTES OF THE EXTRAORDINARY MEETING OF SOUTHAM TOWN COUNCIL, HELD AT THE GRANGE HALL, COVENTRY ROAD, SOUTHAM ON THURSDAY 14<sup>TH</sup> MARCH 2013**

**Present:** Councillors: M Gaffney (Chair), M Willoughby, C Pratt, J Soni, J Smith, V Shepherd, L Smith, B Thomas, L Hewer, C Worsh & A Forster

**In attendance:** Mrs D Carro & Cllr J Appleton

**160. APOLOGIES FOR ABSENCE**

Cllr L Tasker – Personal  
Cllr J Ward - Personal  
Cllr E Thornley – Work Commitments  
Cllr A Crump

**161. DECLARATIONS OF INTEREST**

Cllr B Thomas	Personal Interest Reason	Tollgate Road Lease Property abutting Tollgate Road Playing Field
Cllr V Shepherd	Personal Interest Reason	Tollgate Road Lease Family members attend St James Primary School
Cllr C Worsh	Personal Interest Reason	Tollgate Road Lease Family members attend St James Primary School

**162. PUBLIC REPRESENTATIONS**

A proposal was made to suspend Standing Orders to allow Public Representations  
**RESOLVED:**

**Not to allow Public Representations**

**163. TOLLGATE ROAD LEASE**

As a result of the public reaction to the proposed changes to the Tollgate Road Play Area, the Town Mayor instructed the Town Clerk to call an extraordinary Town Council Meeting with a one item agenda (LGA Sch 12 9(1) and SO 1.7a), approximately 35 people attended and although members of the Public were not given the opportunity to speak, written correspondence, forwarded to Councillors and tabled at the meeting, was considered by Council to assist in the discussion and as a guide towards a resolution .

Letters of objection were received and considered as follows:

Mr & Mrs Houston – 24 Tollgate Road, Southam  
Mrs C Batchelder – 16 Tollgate Road, Southam  
Mr & Mrs Cole – 21 Tollgate Road, Southam  
Mrs C Cox – Southam  
Mrs D Smith – 20 Springs Crescent, Southam  
Revd W Hawkins – Pine Tree Crescent, Southam  
Denise Nicholas – Tollgate Road, Southam  
Mr K Parker – 14 Cherry Tree Walk, Southam  
Mr Batchelder – 16 Tollgate Road, Southam (2<sup>nd</sup> submission)  
Dr L Hawkins – Pine Tree Crescent, Southam  
Mrs T Bodill – Lime Road, Southam

Mr P Hill – 3 Sycamore Grove, Southam  
Mrs K Woods – 28 Tollgate Road, Southam  
Mr D Woods – 28 Tollgate Road, Southam  
Miss L Woods – 28 Tollgate Road, Southam  
Master S Woods – 28 Tollgate Road, Southam  
Mr M Houston – 24 Tollgate Road, Southam (2<sup>nd</sup> submission)  
Mr R Jefferies – 3 Orchard Way, Southam

Letters of support were received and considered as follows:

Ms C Brabrook – Parent of a child at St James Primary School  
Ms R Finch – Parent of a child at St James Primary School  
Mrs M White - Parent of a child at St James Primary School  
Ms L Macvarish - Parent of a child at St James Primary School  
Mrs T Johnson – 14 Browns Bridge, Southam  
Mr N Lewis – 33 Merestone Close, Southam  
Mr K Medgett - Parent of a child at St James Primary School  
Head Teacher and Chair of Governors – St James C of E Primary School

Members were reminded that a resolution adopted at the Council meeting on 28<sup>th</sup> February resolved to sign the Lease proposed by Warwickshire County Council (WCC) and approved by this Town Council subject to control over the size of vehicles passing over the Town Council area. That Lease has not yet been signed.

Members were advised that the Mayor has decided that this item should be in the public domain because up until now, following previous Council resolutions it has been treated as confidential (LGA 1972 ss100 and 102). The Mayor gave members the opportunity to propose that it continues to be treated as a confidential matter under Section 1(2) the Public Bodies Admission to Meeting Act 1960 and therefore to exclude the press and public from this meeting.

The one item on the agenda concerns whether or not the Town Council having considered the advice from the Town Council Solicitors wishes to take legal action against WCC objecting to the termination of the Lease dated 20<sup>th</sup> September 1993 and which expired on 24<sup>th</sup> March 2007.

**RESOLVED:**

**Yes (6) -**  
**Cllr J Soni**  
**Cllr A Forster**  
**Cllr L Smith**  
**Cllr B Thomas**  
**Cllr C Pratt**  
**Cllr L Hewer**

**No (4) -**  
**Cllr J Smith**  
**Cllr M Willoughby**  
**Cllr V Shepherd**  
**Cllr C Worsh**

**i) That the Town Clerk instructs the Council's solicitors to advise this Council, after consultation with Queens Counsel, if there is a case to take to court objecting to the termination of the Lease by WCC relating to the piece of land at Tollgate Road, Southam**

**ii) The Town Council understands and accepts that there will be financial costs of up to £3000.00**

**Meeting Closed 9pm**