



18 February 2020

**The Clerk - Richard Wilson**  
Berkswell Parish Council

Dear Richard

I am sorry to have to ask you to deal with this. None of the contents of my letter question your role or the respect I have for you; I tried but they just could not leave it alone. Recent emails from both Councillors Andrew Burrow and Richard Drake confirm my worst fears. I don't believe you were copied in to the emails referred to below due to your break.

The following evidence is sound and defends my position and name. Sadly, comments made from the platform of a public Parish Council meeting cannot be taken back; the residents present only hear the inaccurate and misleading comments, often delivered inappropriately from the three Councillors in question. They appear willing to use any means, however disingenuous, to discredit an individual I can only imagine they see as a threat.

In relation to the Chairman's jibe about the complaint from 'former councillors' I am attaching a redacted copy of the letter sent, in evidence, to a third party and SMBC, which included copies of various 'in context' communications which confirmed that the accusations made against me by 'former councillors' were inaccurate and intended to continue their unwanted attacks against me. Judith Parry-Evan's reply and intervention was also less than appropriate.

Councillor Drake has decided to further discredit me by opening old and now new wounds; I assume the additional Councillors he refers to are Richard Lloyd, Andrew Burrow and Kay Howles. I quote from his email dated 15 February 2020:

*'I would also add that those of us who are also Balsall Councillors are still awaiting an explanation of disparaging comments made about members of Berkswell Parish Council and the Balsall Common Residents Association that were detailed in the complaint made by former Balsall Councillors to Balsall PC in September last year'.*

The outcome of ALL ultra vires sanctions made against me by those 'former councillors' during my time as a Balsall Parish Councillor have been investigated in two SMBC independent reviews; I was exonerated on all counts additionally backed up by a legal investigation and cross reference of ALL documents by Anthony Collins

Solicitors who, I repeat, called the bullying, shameful and unequivocally ultra vires. The 'former councillors' chose to resign rather than face any possible legal action.

Councillor Drake is compounding any previous issues with continuing unfair, unsound and inappropriate comments in an attempt to put my name and position, as a Berkswell Parish Councillor, into unfounded disrepute; his comments are classic bullying as I cannot defend myself in public. He once spoke of himself in public; I quote: 'I am not a very nice person'. His present intervention only serves to confirm his revelation as true; this is mean, unfair and the act of a bully. He added in his email:

*'I would appreciate it if you were to stop wasting our time with pointless communications. More importantly please stop wasting our Clerk's time. The rest of the council are busy trying to work for our residents and your continuing correspondence are a time wasting distraction from that'.*

**I apologise if you see my correspondence as time wasting. I rest my case.**

Councillor Burrow should, however, be more understanding having been an unwilling recipient in the same complaint by 'former councillors'. The 'so-called' evidence against him was also published in 'out of context' format; the same as it was for me.

I have every email, document or item of correspondence saved, several of the 'former councillors' praised the work I was doing in communications dated during the same time frame as the 'so-called' complaints; these emails formed part of my formal response and confirm how manipulative these individuals are.

The four page response from Councillor Burrow to my emails sent to you, as Clerk, produced three pages of text, annotated in red, and confirmed his 'selective memory' on what was said and how it was delivered during the January PC meeting. He seems to forget that his inappropriate 'outburst' was delivered on the public platform of a Parish Council Meeting. I and others remember it entirely differently. In his response, dated 15 February 2020, Councillor Burrow disingenuously refers to me refusing to take part in your suggestion of meeting with him, in the presence of an independent person, to try to find a way forward. I did not refuse the suggestion it was merely overtaken by continuing unpleasantness following the publication, of my emails to him and the Chairman. I previously indicated to you that I felt there was little chance of a way forward; the unpleasantness of the responses clearly confirm my prediction.

In an email dated 15 February 2020 Councillor Drake said and I copy:

Councillor Cooper

I note your apology for a further absence from a Berkswell Parish Council meeting. I have no idea what the odd wording of your "apology" e-mail implies.

I also note the copies of lengthy e-mails you have sent to our Clerk.

I would appreciate it if you were to stop wasting our time with pointless communications. More importantly please stop wasting our Clerk's time. The rest of the council are busy trying to work for our residents and your continuing correspondence are a timewasting distraction from that.

You should be aware that it was noted at the Council meeting on Thursday that you have still failed to produce a copy of a letter concerning the Hornets licensing application which you agreed to do at the November meeting:

*Cllr Howles asked Cllr Cooper about the letter she wrote to SMBC in respect of the original license application, which she believed gave a contrary opinion to the Council's agreed policy (as minuted at Item 10 of 17 October meeting). Cllr Howles stated that such action would be contrary to the Councillors Code of Conduct. Cllr Cooper stated that she wrote the letter as an individual, not as a Parish Councillor, and agreed to forward a copy of the letter to the Clerk to clarify this point.*

I would also add that those of us who are also Balsall Councillors are still awaiting an explanation of disparaging comments made about members of Berkswell Parish Council and the Balsall Common Residents Association that were detailed in the complaint made by former Balsall Councillors to Balsall PC in September last year.

This is the last time I will correspond with you on this.

Richard Drake  
Chairman  
Berkswell Parish Council

I will now place the following evidence into the public domain:

**Minutes of Ordinary Berkswell Parish Council Meeting 17 October 2019:**

Agenda item 10 and I quote:

' Council considered the following licence application; a Premises Licence application has been received by SMBC in respect of Balsall and Berkswell FC, Lavender Hall Lane, Balsall Common, CV7 7BN.....

**The Council agreed to object** and Cllr Burrow and Drake agreed to draft the objection based on the 4 grounds of objections'.

Councillors Burrow, Lloyd, Drake, Edwards and Howles all expressed the opinion that the Council should object; the vote - 5 in favour of objection with 1 abstention - Councillor Hitchcock.

**A resolution of Berkswell Parish Council was passed on 17 October 2019 to OBJECT.**

**A resolution cannot be rescinded for 6 months outside due process.**

### **Standing Orders:**

7. Previous resolutions - Page 10

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b. When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

I further quote from an email from Councillor Burrow dated 13 November 2019:

*'Dear Everyone*

*You will be aware that Richard Drake and I have been brokering a deal between the residents of Lavender Hall Lane and the Hornets on Licensing hours. I am pleased to advise that last night we/they reached a deal.....*

*If we wait until our meeting next week, the issue will go before full committee and there is a chance that they will not like the innovation of limiting Saturday nights to 11 pm for just 15 times a year. It seems safest that our Clerk says by tomorrow night that the PC withdraws its objection if the licence matches the agreement. We would then need to ratify that action at our meeting.*

*Please can Councillors confirm immediately that they are happy for our Clerk to do this, if he is so minded to do so. I have yet to talk to him'.*

**The Clerk responded in an email dated 14 November 2019:**

*All - Please see attached FYI. Please note that I have responded to SMBC's earlier request for me to confirm Berkswell PC's agreement to withdraw our representation. I have indicated that I cannot confirm this without a Council resolution (which would not be possible before next week) but I reported that 5 Members of the Council (out of 7) have indicated by email that they would be happy to withdraw and support the compromise reached with residents and the Hornets. We will see if this is enough for them to cancel the hearing. Kind regards Richard*

I was not happy, and indicated my concerns in emails:

I originally expressed my concerns in emails reiterated in an email to the Clerk and all Councillors dated 01 October 2019. I also wrote to the Clerk, copied to Councillors on 14 November 2019.

The actions as described above, in copious email interactions, between several individuals, including Councillor Burrow, SMBC and the Hornets, confirm unequivocally that the deal was 'brokered' by Councillors Burrow and Drake outside the Berkswell Standing Orders and, therefore, outside the statutory due process of Berkswell PC.

**Berkswell Parish Council passed a resolution to OBJECT from the public platform of a Parish Council Meeting on 17 October 2019. The Minutes of that Meeting were approved, by Council, on 21 November 2019.**

The communication between me, as an individual and Berkswell resident and SMBC was clearly written in the first person and reiterated my personal concerns and objection to the planning application. I am entitled to describe myself as a Parish Councillor but there is NOTHING in my email that says I am speaking on behalf of the PC. I was objecting as an individual, however, my objection was also in line with the above Berkswell PC resolution.

The unpleasant and threatening outburst by Councillor Kay Howles during the Parish Council Meeting of 21 November 2019 was inappropriate, inaccurate and made in public. It cast doubt on my integrity and, therefore, my position as a Councillor.

My personal opinion and comment, although unequivocally made as an individual, was NOT contrary to that of Berkswell Parish Council and was clearly in line with the OBJECTION made in a resolution passed by Berkswell Parish Council on 17 October 2019.

**The due process of the Berkswell Standing Orders was breached as indicated above and below:**

#### 26. Standing Orders Generally

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final

**Parish Council Meeting 21 November 2019; the Minutes of PC Meeting 17 October 2020 were approved.**

- NO resolution to suspend the 17 October 2019 resolution was passed.
- NO special motion to add or revoke the Standing Order was proposed in writing to the Clerk.
- NO Committee or Sub-Committee was resolved to be formed

I was hoping to avoid all of the above but the arrogance and inappropriate behaviour of the Chairman Richard Drake and Councillor Burrow continues to call into question their application of the Code of Conduct in public life. There is something very wrong, cruel and unacceptable in those behaviours. They exhibit the traits of bullies.

I copy the email sent, by me, to SMBC Licensing dated 15 November 2019.

Dear Ms Bettison

I was not asked to be a party to the, behind the scenes, discussions between SMBC officials and Members of Berkswell Parish Council relating to the brokering of a compromise on the proposed granting of a license for the Hornets Football Club premises.

I am writing as both a Berkswell Councillor and as a Berkswell resident.

I have serious misgivings about the granting of a licence to a club that is primarily used by children and young people. Alcohol has become a serious problem among the young and, therefore, to expose children and young people to 'drinking' during the hours they will be using the club and its premises for recreational purposes is, in my view, totally unacceptable.

Furthermore, most of those young people, using the club facilities, are brought to the club by parents driving cars; cars and alcohol don't mix. The illegal parking of vehicles in Lavender Hall Lane already cause dangerous and unacceptable traffic issues.

Finally, and to bring to your attention, this club will soon, if issued a licence, be the closest, and within walking distance, drinking establishment to the HS2 Construction Compound soon to be built in Park Lane where very large numbers of workers will reside on site. What issues is this likely to raise?

All of the above demands very serious consideration and I, therefore, ask that the formal Hearing is the least the local community and especially those living close to the ground, should expect where ALL residents are given an opportunity to make representations and hear the deliberations. This privately brokered compromise is, in my view, unacceptable.

**I strongly object to any proposal to the cancellation of the Hearing to be held on 28 November 2019 in the Civic Suite.**

Yours sincerely

Sheila Cooper

Finally, after the Parish Council Meeting held on 13 February 2020, I am reliably informed that Councillors met in the Bear where very personal and disparaging comments directed against me were overheard by an acquaintance. From the description given to me I believe the Councillor primarily involved was Kay Howles with Andrew Burrow, Richard Drake and Richard Lloyd in the loop also taking part in the conversation. I cannot understand what goes through their minds and why they would put themselves in a position of using such poor judgement in a public place close to where I live.

All of the above serves to illustrate the culmination of the miserable series of events already experienced by me in less than a year sitting as a Berkswell Parish Councillor. One cannot legislate against behaviour such as this and is exactly what Andrew Burrow and Richard Drake previously accused the past Balsall Chairman of.

I sincerely believe I do work hard, as an individual, on behalf of Berkswell residents and the wider community where I have had the privilege to live for nearly 30 years.

I once again apologise for the extra work this will undoubtedly give you; I am already well aware of the unnecessary pressures that are put upon you.

Sadly, there now appears to be no way of avoiding making this a **formal complaint** against the Berkswell Parish Council Chairman, Richard Drake, Councillor Andrew Burrow and Councillor Kay Howles; it is one of their own making. I demand a public apology to include the withdrawal of the unsound accusations and comments, **made in public**, by Councillor Howles and Andrew Burrow during the PC Meetings of 21 November 2019, 23 January 2020 and, in my absence, on 13 February 2020 and in the recent email correspondence from the Chairman Richard Drake and Andrew Burrow.

I request a confirmation of receipt of this letter and attachments and details on how you intend to progress the complaint. I understand you are not due back at work until 24 February 2020.

Yours sincerely

A handwritten signature in cursive script that reads "Sheila Cooper". The signature is written in black ink and is positioned above a horizontal line that extends to the right.

**Sheila Cooper**