

Investigation into allegations of breach of the Members Code of Conduct

Cllr Professor Lew Schnurr – Heybridge Parish Council

The Complaints

1) By letters of the 26th and 29th January 2018 Parish Cllrs A Jones and J Bullen made complaints of a similar nature against Cllr Schnurr to the Chairman of the Parish Council. These were forwarded to me as Deputy Monitoring Officer. The letters, in essence, breakdown into two areas of complaint. The first is the principal one;

1. That Cllr Schnurr was physically and verbally aggressive to Cllr D Benson at the Heybridge Parish Council meeting of the 18th January;
2. That Cllr Schnurr is generally disrespectful at meetings of the Parish Council to the Chairman of the Parish Council, Cllr Simon Burwood, and is undermining of the Parish Clerk, Amanda Hilton.

The Evidence

2) I have the following relevant documentary evidence:

1. Letters of the two complainants describing their allegations(Annexes 1 and 2);
2. Email of the 31st January from Cllr Benson to the Chairman of the Parish Council, the Parish Clerk and Stuart Jennings of this Council. Cllr Benson describes the incident on the 18th January(Annexe 3);
3. Transcription of audio recording of the Council meeting of the 18th January (Annex 4).

I have interviewed Amanda Hilton, Parish Clerk, Emma Foy, Director of Resources of this Council and Cllr Professor Schnurr. The notes of my interview with them are included below.

Amanda Hilton

3) I have been employed by Heybridge Parish Council for 3 years and known Cllr Schnurr for that length of time. I became the Clerk in September.

4) I was present at the Council meeting on the 18th January. I was seated close just a few metres from Cllr Schnurr and had clear sight of him during the meeting. He was seated next to Cllr Benson.

5) Cllr Benson gave a report in relation to Daisy Meadow Car Park. During the report there was a lot of mumbling between Cllrs Schnurr and Cllr Lawson. Cllr Schnurr was tapping his finger a lot on the table and referring to his copy of the standing orders. I sensed he was agitated by Cllr Benson's report. Cllr Schnurr wished to put an amendment to Cllr Benson's proposal and repeatedly interrupted the Chairman during the process.

6) During Cllr Schnurr's summary of his amendment, he called Cllr Benson "Benson". Cllr Benson responded by gently brushing Cllr Schnurr's arm and said "Cllr Benson to you". Cllr Schnurr rose slightly from his chair then raised both fists toward Cllr Benson and said something like "do you want to see my fists". I cannot be sure of the exact words. It was threatening. Cllr Benson appeared shocked and said something like "lets' not do this". The Chairman called the meeting to order and

the vote took place. Cllr Schnurr's amendment was lost. He then left the meeting in an agitated state.

7) I was shocked by the incident. I was embarrassed because 5 members of the public were present. In my office I was tearful because as a new clerk I felt responsible for the way the meeting went.

8) Generally I have experienced Cllr Schnurr belittle other Councillors describing them as uneducated. He often interrupts and over talks the Chairman.

Emma Foy

9) I am the Director of Resources at Maldon District Council. I attended the Council meeting Heybridge Parish Council meeting on the 18th January 2018. I went in connection with regard to the calculation of the precept for the Parish Council. I sat next to Cllr Benson with Cllr Schnurr the other side of him.

10) Cllr Benson proposed charging for the use of Daisy Meadow Car Park. Cllr Schnurr wished to make a complex amendment to the proposal. The Chairman attempted to refine the amendment but Cllr Schnurr became undermining of him and banging his finger on a copy of the Standing Orders. He spoke down to the Chairman and to other Councillors. During this Cllr Schnurr referred to Cllr Benson as "Benson". Cllr Benson in a conciliatory manner touched Cllr Schnurr's arm. Cllr Schnurr accused him of assault but other Councillors disagreed in an attempt to be conciliatory. Cllr Schnurr said "Do you want to go outside and see the size of my fists. I saw Cllr Schnurr rise partially from his seat and showed a clenched fist very close to Cllr Benson as if inviting him for a fight. Cllr Benson remained seated. He seemed surprised and annoyed but not aggressive. When the amendment of Cllr Schnurr was lost he picked up his papers and left in silence with the meeting still in session.

11) I was shocked by Cllr Schnurr's behaviour toward Cllr Benson. I was surprised by him mocking other members and how he spoke over the Chairman, even at times he laughed at him mockingly.

Cllr Schurr

12) I have been a Parish Councillor since October 2004. I was Vice Chairman from 2005 until the end of the Municipal year 2016-2017; during the Council meeting of 16th March 2016 a vote of no-confidence was proposed by Cllr Perry which continued his long-standing negativity toward me and confused the Members most of whom were only recently elected and untrained. This event was also reported to Mrs. Morse. I continued as Vice-Chairman until the end of that Municipal year when both the Chairman and I agreed to stand down. I believe this background is material to the ongoing atmosphere within the Council and in particular to the irregularities of the meeting of 18th January.

13) With regard to the complaints relating to 18th January I was addressing the Council and was facing the top table where the Chairman was seated along with the Parish Clerk. During my address I was pushed forcefully by Cllr Benson to the right side of my body. I was most surprised by this unexpected event and as a knee-jerk reaction I turned round and showed him my right fist at a low level near to his fist that was clenched. I said "how big is your fist". I then returned immediately toward the top table and continued my discourse. I reacted automatically and did not feel hostile

toward Cllr Benson; my reaction was simply an automatic response to being physically threatened without my knowledge.

14) Prior to the assault by Cllr Benson I was attempting to amend a proposal regarding Daisy Meadow Car Park but the Chairman did not correctly manage the process and ultimately it was lost. I was frustrated because the procedures were not followed and somewhat agitated because the Chairman disregarded my requests, proposals and amendments concerning that matter. The unexpected push from Cllr. Benson, although forceful, did not hurt me and left no bruise. I wrote to Cllr Benson about his assault but he did not respond. By assault I mean unprovoked physical contact without my consent. . However I do not think the assault was pre-mediated but that the incident is part of the wider picture. It could be that Cllr Benson assaulted me as a friendly gesture but the context would not support that view

15) I believe that the incident with Cllr Benson and the complaints by Cllrs Jones and Bullen and others are part of a wider picture of victimisation initiated and sustained by Cllr Perry. He encourages others, including Cllr Benson, to victimize me and he has sought my removal from office since before early 2017, communicating such intentions to Mrs. Morse as well as to other Councillors.

16) In relation to the comments made by others about the incident, my position seated would have obscured Amanda Hilton's vision of what happened; Emma Foy may have had a restricted vision of what happened because Cllr Benson was sitting to my immediate right and this would have obscured her seeing clearly.

17) In response to the allegations of domination of meetings and undermining the Chairman, I only challenged the unlawfulness of his many decisions since his chairmanship. It is significant to note that the new Councillors who now make up the Council (many of whom were put forward for election and were sponsored by the BNP) have little or no experience in formal committee procedure and have not undertaken Councillor training. Their perception of my alleged domination and undermining I believe to be a reference to my attempts at ensuring that decisions are made lawfully.

18) My response to the unhelpful situation is to maintain an attitude toward the Parish Council of helpfulness and constructive support when asked.

19) After the interview with Cllr Schnurr he sent an email trail of March 2017 which he believes supports his belief that Cllr R Perry has sought to victimize him. The email trail shows that Cllr Perry had no confidence in Cllr Schnurr and made a complaint to a former deputy monitoring officer about him. I have not included the email trail as an annex because my investigation is based on Cllr Schnurr's conduct on the 18th January and his general attitude to others. There is no need for me to reach any conclusion on the allegation of victimization. If the victimization has taken place then it could have been a catalyst for Cllr Schurr's behaviour but would not be a justification. I therefore see no need to investigate the allegation.

Analysis

20) When comparing the accounts of the incident on the 18th January given by Cllr Benson, Amanda Hilton, Emma Foy and Cllr Schnurr there are variations on what happened. These however are not

major but in part to be expected in an incident that happened quickly and unexpectedly . The audio recording is limited because it only recorded what was said and so only provides half of the story.

21) When comparing all the accounts I am satisfied that the following sequence of events took place in relation to the first complaint;

- A) Cllr Schnurr was in, at least, a frustrated state of mind when seeking to amend the proposal put forward by Cllr Benson about charging for Daisy Meadow Car Park in Heybridge Basin;
- B) Cllr Schnurr addressed Cllr Benson as "Benson" during the debate;
- C) Cllr Benson touched the Cllr's Schnurr body or arm in an attempt to gain his attention;
- D) Cllr Benson requested to be referred to as "Cllr Benson";
- E) Cllr Schnurr responded alleging that Cllr Benson assaulted him;
- F) Cllr Schnurr showed his fist to Cllr Benson in a threatening manner;
- G) Cllr Schnurr aggressively commented on the size of his fists;
- H) Cllr Schnurr afterwards continued on with his address about his amendment to the proposal;
- I) There was a general state of shock caused by Cllr Schurr's behaviour.

22) I am satisfied that the first complaint is justified. Cllr Schnurr took an aggressive stance toward Cllr Benson and reinforced that with his words.

23) The second complaint relates to Cllr Schnurr's attitude. Cllr Jones in his letter says that "Cllr Schnurr has always tried to dominate the meetings and always undermines the Chair and Clerk. This is unacceptable behaviour". The complaint is that there is an ongoing attitude of disrespect toward the Chairman and the Clerk.

24) Cllr Benson, Amanda Hilton and Emma Foy all comment on Cllr Schnurrs poor behaviour toward the Chairman on the 18th January. I accept that he interrupted the Chairman on several occasions and was undermining of the Chairman's control of the meeting. Furthermore I accept that this has been a characteristic of his behaviour at other meetings although it may not have been so extreme as on the 18th January. Amanda Hilton mentions that he "often interrupts and over-talks the Chairman". Emma Foy said that "he spoke over the Chairman, even at times he laughed at him mockingly". To some extent this is supported by what Cllr Schnurr said himself during my interview with him which is worth repeating;

"In response to the allegations of domination of meetings and undermining the Chairman, I only challenged the unlawfulness of his many decisions since his chairmanship. It is significant to note that the new Councillors who now make up the Council (many of whom were put forward for election and were sponsored by the BNP) have little or no experience in formal committee procedure and have not undertaken Councillor training. Their perception of my alleged domination and undermining I believe to be a reference to my attempts at ensuring that decisions are made lawfully."

25) I believe that Cllr Schnurr has a low regard for the Chairman and, incidentally, also other Councillors. His significant experience as a Parish Council and undoubted intellect appears to me to be used against the Chairman rather than to support and help him. His own words indicate a lack of respect for the Chairman which he allows to manifest itself in often unhelpful participation at

meetings by frequently interrupting the Chairman and undermining his authority by challenges to the way decisions are made.

26) I am therefore satisfied that the second complaint is justified in relation to the Chairman, Cllr Simon Burwood by Cllr Schnurr showing disrespect to the Chairman during Council meetings.

27) With regard to the Parish Clerk, Amanda Hilton, I sensed during the interview that her self-confidence has been affected by her belief that Cllr Schnurr's does not consider that she is competent as a new Clerk. However there was insufficient evidence for me to reach any firm conclusion on this part of the second complaint.

28) I am not therefore in a position to conclude that the complaint that Cllr Schurr undermines the Parish Clerk is justified.

Application to the Code of Conduct

29) In my opinion there are 2 parts of the Code relevant to both complaints;

"You must treat others with respect" (paragraph 3.2);

"You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute" (paragraph 3.5 (e)).

30) With regard to first complaint concerning the incident with Cllr Benson it is clear to me that acting in an aggressive manner to Cllr Benson was not treating him with respect. Although Cllr Schnurr is entitled to express his strong disagreement to a proposal that should never result in this type of aggressive behaviour. Cllr Schnurr lost self-control.

31) I believe equally that Cllr Schnurr has brought his office as a Councillor and the Authority into disrepute. The evidence points to others feeling shocked by the incident. Moreover there were members of the public present. This type of behaviour can only result in the public having a low regard for third tier local government democracy.

32) In relation to the first complaint I am of the view that both paragraphs 3.2 and 3.5(e) of the Code of Conduct have been contravened.

33) Cllr Schnurr's behaviour toward the Chairman of the Council is a show of disrespect. Cllr Schnurr has allowed his lack of respect for Cllr Burwood to get out of control by repeatedly interrupting and speaking over the Chairman. Rather than keep his thoughts to himself he has allowed them to overspill into meetings. This must have made the Chairman's role much harder and is likely to have been seen as a challenge to his competence and understanding. For this reason I conclude that Cllr Schnurr has not shown respect to Cllr Burwood. Moreover Cllr Schnurr's pattern of lack of respect is, in my opinion, the result of his belief that the Parish Council makes its decisions without following proper procedure and hence his comments that the other Councillors are inexperienced and have not been trained. This belief is probably fuelled by his feeling that he has been marginalised following the vote of non-confidence in him as Vice-Chairman. The displays of disrespect indicate frustration at Cllr Schnurr's significant loss of influence now in the Parish Council.

34) I accept that atmosphere created by Cllr Schurrs interruptions would have given an unfavourable impression to the public, but I am not satisfied that it was of a sufficient degree to bring the office of parish councillor or the Authority into disrepute. It could be argued that if there are displays of disrespect to the Chairman then this automatically means that the disrepute ground has been made out. However I believe that the 2 parts of the Code should be assessed separately. Lack of respect and disrepute are different. I am of the view that disrepute is a stronger threshold to cross than lack of respect in this case. This is not to minimize the impact that Cllr Schnurr's behaviour has had. In fact I am of the view that the atmosphere he has created has resulted in unnecessary tensions that have caused Cllr Jones to say "I do not wish to sit through another meeting carried out in the way the last one was". Amanda Hilton as Parish Clerk has witnessed Cllr Schnurr belittling other Councillors and describing them as uneducated. In my view unless Cllr Schnurr recognises the negative effect of his interruptions of the Chairman and the general atmosphere he is creating, the Parish Council could begin to become ineffectual in its representative role in the local community. Later on this could lead to his behaviour bringing the Council into disrepute, but in my opinion that threshold has not yet been crossed.

35) In relation to the second complaint I am of the view that paragraph 3.2 alone of the Code of Conduct has been contravened

Options

36) If the Joint Standards Committee agrees with me that there have been breaches of the Code there are, in my opinion, at least 6 options available to the Committee. My view is that the incident on the 18th January is serious.

37) The general lack of respect toward the Chairman issue could worsen unless there is a change of attitude. I am concerned that increased tensions could be detrimental to the functioning of the Parish Council and lead into the Council losing its reputation in the local community.

38) The options are not mutually exclusive. A combination of the options could be proposed. They are;

1. Recommending that the Parish Council place on its website the findings of this Committee for 6 months;
2. Recommending that the Parish Council place a notice in a local newspaper stating the findings of this Committee;
3. Recommending the Parish Council send Cllr Schnurr on a training course to better understand his role as a local councillor and as a community leader;
4. Recommending the Parish Council make arrangements with another Parish/Town Councillor from a different Parish/Town Council who would be willing to act as mentor to assist Cllr Schnurr perform his role more helpfully;
5. Requesting that Cllr Schnurr write a letter of apology to Cllr Benson, Cllr Burwood and to the Council as a whole;
6. Recommending that the Parish Council limit Cllr Schnurr involvement in meetings and representation of the Council by removing him from committees and preventing him formally representing the Council until he has shown a change of attitude. This could be

shown by a letter of apology, by a respectful attitude at full Council meetings or by his general behaviour toward other councillors.

39) I am grateful to everyone for cooperating with me. I would like to add that Cllr Schnurr was both cooperative and courteous throughout my investigation and responded promptly to all my emails.

Dated 6th March 2018

Simon Quelch

Deputy Monitoring Officer

Cllr A Jones
99 Goldhanger Road
Heybridge
Maldon
CM9 4QS

RECEIVED 26 JAN 2018

26th January 2018

To the Chairman (copy given to the Clerk)

I would like to make a formal complaint regarding the conduct and behaviour I witnessed from Cllr Prof Lew Schnurr at the Full Council meeting on Thursday 18th January 2018.

I believe that this is a non -productive attitude, to serve the community this has to stop.

In my opinion Cllr Schnurr showed physical and verbal communications towards Cllr Benson.

I would like him barred at the next meeting so we can progress in the matters that we have to discuss.

Cllr Schnurr has always tried to dominate the meetings and always undermines the Chair and Clerk. This is unacceptable behaviour. If he is allowed to carry this on I will go to MDC myself.

I hope you will clear this matter up very quickly as I do not wish to sit through another meeting carried out in the way the last one was. Cllr Schnurr is quick to throw rules and procedures at us but in my opinion has broken several of the unacceptable behaviour examples.

I would like a reply indicating what will happen.

Thanks

Cllr A Jones

Cllr A Jones.

29-1-18.

COUNCILLOR A. BULLEN.

131, LODD ROAD, HEYBRIDGE,
MALDON. ESSEX CM9 4AU

THE CHAIRMAN.

I WISH TO COMPLAIN ABOUT THE COUNCIL MEETING
ON THURSDAY 18-1-18.

I FOUND MR SILVER WAS RUDE AND LIKE
A BULLY AND HE THREW HIS TOYS OUT OF HIS
PRAM.

I THOUGHT MR BENSON HANDLED THE
SITUATION WELL AS I BELIEVE MR SCHUR
THREATENED HIM.

I AM A NEW COUNCILLOR AND DO NOT KNOW
WHAT TO EXPECT BUT I HAVE LOOKED AT THE
RULES ON BEHAVIOUR AND HE BROKE THEM.

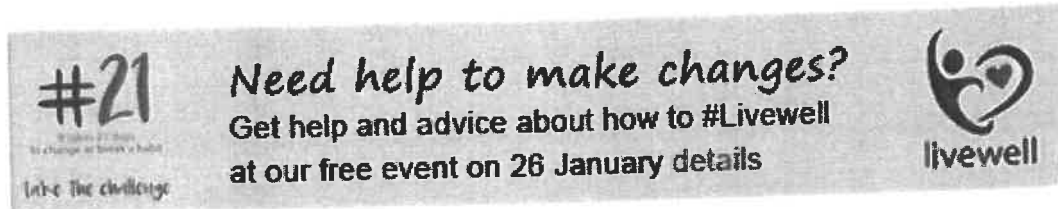
A. Bullen

Stuart Jennings

Corporate Governance Project Officer – Resources Directorate

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In Office – by arrangement



'To make the Maldon District a better place to live, work and enjoy'

From: don ben [mailto:don.ben81@yahoo.co.uk]
Sent: 31 January 2018 14:14
To: Simon Burwood; Mandy Hilton; Stuart Jennings
Subject: Heybridge Parish Council

Dear Parish Council Chairman Cllr. Simon Burwood, Stuart Jennings. Corporate Governance Project Officer MDC.
 Mandy Hilton Clerk to Heybridge Parish Council.

Please find my submissions re the Heybridge Parish Council Meeting held on 18th. January 2018.

At the previous Environment and Resources Committee Meeting of which I am a Member in November 2017 I raised to Committee the subject of Daisy Meadow Car Park, Heybridge Basin. My issues were and still are the amount of money Heybridge Parish Council pays to Maldon District Council in the form of Non domestic rates from the Council Precept plus other costs for the upkeep etc. of the car park with absolutely no financial return.

Prior to the stated meeting with the full support of the then Chairman of the Committee I contacted the Leader of the Community Protection Team to seek information on turning the car park into a Financially beneficial situation.

The information I received was very encouraging. I passed my finding on to the HPC Environment and Resources Committee from where it was referred to Full Council for a decision to go ahead with my presentations/recomendations or not.

The subject was placed on the Agenda for the Heybridge Parish Council Meeting which was held on Thursday 18th. January 2018.

The subject was shown under Item 8 on the Agenda.

I duly gave my report to Council, a vote was eventually taken with the decision to go ahead with my recommendations.

Following on from that, in fact after the vote by Councillors Cllr. Lew Schnurr addressed the Council as to why the Daisy Meadow Car Park should be left as it is with free parking for all.

I am sorry to say that as Cllr. Schnurr continued voicing his objections, please bear in mind this was after the decision was made, he was increasingly becoming very agitated. He was addressing the Chairman with an ever increasing volume to his voice at times shouting in a very insulting manner and wagging his finger at the Chairman.

I do believe it is fair to say then, he was in an extremely agitated state.

I did not hear fully what he said at one time but loudly and clearly addressed the Council with the opening words, "Benson said".

I took minor offence at that knowing that all Councillors at such meetings use the term Cllr etc when addressing Council or mentioning a Councillor.

I was seated next to Cllr Schnurr In fact quite close to him. I touched him once on his right arm with the back of my left hand or more likely the back of the fingers of my left hand to get his attention and said, "It's Councillor Benson if you please".

Councillor Schunnrs response was to turn facing me and make a fist shaking his fist within two or three inches from my nose saying words to the effect of, " see the size of my fists" .At this, there was a loud gasp I suggest of astonishment from members of the Council, I did feel Cllr. Schnur was going to hit me in the face.

I was so flabbergasted at this behaviour and his threatening attitude to me I believe I said words to the effect of " behave yourself, grow up or don't be silly". I am utterly disgusted that a Parish Councillor in a Council Meeting can verbally belittle a fellow Councillor and threaten violence all over a presentation I made to Council which he very obviously did not agree with the decision of agreement to my proposals. I will add, in my opinion, Cllr Schunrr was very verbally antagonistic and extremely rude to the Chairman of the Council from the start and through-out the meeting.

Clr. Schunrr shortly after walked out of the meeting prior to it's conclusion very obviously in a high state of annoyance.

I believe that Cllr Schunrr being an experienced Councillor and shown to have high academic qualifications behaved at the meeting in such a disrespectful manner totally unacceptable to all Councillors. I fully understand why so many aspiring Parish Councillors have left the Council shortly after being elected ie. being disillusioned by the regular monologues given by Cllr Schunrr on how matters should be dealt with when it has for quite some time in my opinion being the aim of Cllr Schunrr act as though he has governance which of course he does not.

I must say, the actions and verbal abuse by Cll. Schunrr during the meeting create doubt in my mind if I would want to be present at another Heybridge Parish Council Meeting if he were present.


I am confident that Ms. Emma Foy whom I believe is the Director of Resources for Maldon District Council and was present during the whole of the meeting and sitting next to me is able to support my comments on the attitudes and actions of Cllr. Schunrr.

I have since received an email from Cllr. Schunrr stating I hit him with my fist, and explaining that in law I had assaulted him and was progressing the matter. He also invited me to contact him to discuss the matter. This I had no intention of doing,

Cllr.Don Benson..Heybridge Parish Councillor.20 -1-2018.

Our Vision: To make Maldon District a better place to live, work and enjoy.

Maldon District Council

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Cllr. Schnurr	Oh Chairman, sorry this is a variation and an unacceptable variation in procedure. The procedure is once an amendment is put forward that the amendment is considered. And I ask the question be put.
Chairman	And then so what about my further amendment to be considered?
Cllr. Schnurr	You have no further amendment sir. You only have a further amendment if indeed there is yet another proposal in against which you can put an amendment.
Chairman	So, can I just ask everybody's opinion on this, not at the matter at hand, just for clarifying in my own head, the point of order with regard to the first proposal and the amendment
lady	The first proposal came forward and was seconded by Cllr Perry.
Another lady (perry?)	Yep.
lady	Cllr Schnurr you then counter proposal forward
Cllr. Schnurr	I did not put a counter proposal, I put an amendment forward
lady	Is there any second to that amendment?
? (lady)	I seconded
Chairman	Ok, Thank you
lady	I understand there is a third one
Chairman	The third one is that we consider both. Is there any second on that?
Cllr. Schnurr	Well, excuse me Chairman, my proposal for wasn't for both issues to be considered, so I think your proposal is another variation of my original one.
Chairman	If I understand your proposal was to look at the rates and enhancing the current car parking facilities they were your words. What Cllr Benson has proposed will make it a paid for car park. They were never considered under your comments.
Cllr. Schnurr	What Benson put forward
Cllr. Benson	Councillor Benson if you don't mind
Cllr. Schnurr	I beg your pardon?
Cllr. Benson	Councillor Benson if you don't mind
Cllr. Schnurr	I don't mind if you don't mind assaulting me
Cllr. Benson	Oh dear
Chairman	Let's not please
?	I'm pitching my fists
Cllr. Benson	Let's not please
Cllr. Schnurr	I've made my point if you want to continue in such a way that the standing orders are not respected then I will simply make the point that the standing orders are set ? act upon
Chairman	Councillor Young
Cllr. Young	I have a question as I am not clear and I want to go back to Cllr Bensons proposal. Your proposal is to make Daisy Meadow a paid car park. My concern with that would be I agree in principle I would like to see ?
lady	Sorry to interrupt you. Everybody is jumping the gun, what Cllr. Benson is saying is he is proposing to make Daisy Meadow Car Park into a paid car park.
Cllr. Benson	Correct
lady	But as he said it's just what its bringing to the table in light of becoming a Lead Councillor to do the investigation behind it
Cllr. Benson	No no no, ? my problem is, if we say yes tonight we are then stuck in that position, we have made it and paid ? it's going to cost us more money, we don't know. So I agree to pay but what I'm saying is I would much rather see a business plan presented for the plan on the car park and then we vote on it. So

	a bigger bill. The problem here is its nothing to do with MDC, its nothing to do with us, it's to do with the district valuers and Central Government and until can put forward a proper case we are capable of support with a JR we can't do anything other than to risk all sorts of revenues that we are currently seeing. Now I suggest we do that but I suggest that we do it carefully and diplomatically so we don't shoot ourselves in the foot. Can I also remind you chairman that I have an amendment on the table.
Chairman	Absolutely, can I ask first of all Cllr Benson can you repeat your proposal and then Cllr Schnurr if you can repeat your amended proposal just so we are all clear and we do not mind what is being suggested.
Cllr. Benson	If I may, Chairman, I do respect Cllr Schnurr and Cllr ? I do respect what they are saying about their own area Heybridge Basin but I'd like to remind them both that I have stressed that what I'm proposing is in its not even in its early stages it hasn't started yet, and as I mentioned a little earlier this is where it starts and I honestly don't see any point in sitting down and discussing this, that, and the other about Daisy Meadow Car Park unless it's going to go forward. I think I do believe that its quite simple, It's either going to go forward or it going to stop, it's going to stay as it is and this Council continues to pay the money out it does pay and hopefully those residents that do not live in the Heybridge Basin don't get to know about it. I do honestly feel there will be some comments because of this Council.
Chairman	Cllr Schnurr put your amended proposal please? Don's proposal is that he is suggesting that Daisy Meadow Car Park should be a paid for car park.
Cllr. Benson	Yes, Chairman
Cllr. Schnurr	I propose an amendment, Chairman, and the amendment is considered for this proposal and the amendment I believe is clear for purposes of additional clarity I simply propose that we take this matter of the two sides that are separate and are not linked, a) rates issue in respect of our property and b) our solution to enhance the parking capability in the Basin and these two are taken back and properly studied so that all the details to do with each of the activities is understood. That's my proposal. I ask the question be put.
Chairman	Can I further add to that and add an amendment to that and say I would like to propose that we look at both your proposals and that we start to look at possibility of Daisy Meadow Car Park as a paid for car park but at the same time we start to look at the other options. I don't think this...
Cllr. Schnurr	Chairman
Chairman	Can I finish? I don't think it is the either or question at the moment. What we want to do is move forward on this and at the moment we are in danger of just sitting and creating reports and sub-committees and talking about this next financial year after that as well. We need to make a decision about what's happening with Daisy Meadow Car Park, not least because of the money but because of the issues to do with what we consider to be illegal bad parking we need to have some of these things. So we need to, and this is my opinion, whether you agree with it or not we can talk about...
Cllr. Schnurr	Well thank you for your opinion, I differ to the standing orders which require if an amendment if put forward that amendment is considered on its merits and my amendment suggested that there were two considerations. a) rates and b) parking and I ask now the question be put.
Chairman	Ok, first of all the first proposal was from Cllr Benson about whether we make the car park a paid for car park. That was the first proposal.