

Little Bromley Parish Council

Minutes of the Extraordinary Meeting of the Parish Council held on
Thursday 9th August 2012 at 7.30pm at the “Haywain” Public House, Little Bromley.

In attendance:-

Councillor S. Wilcox	Chairman
Councillor R. Middleton	Vice Chairman
Councillor K. Hatch	
Councillor M. Ashmore	
Councillor R. Christmas	
Mrs S. Shute	Clerk

Approx. 17 members of the public.

64 12/13 Introduction and Welcome.

Copies of Little Bromley Parish Council – Public Statement and Historical Notes were distributed to everyone present. The Chairman said that the public and press were welcome to the meeting. He explained that a working party of the Parish Council has done some research and the resulting facts have now been produced in the form of the public statement and historical notes.

The Chairman said that at the last meeting he made a statement which was unlawful and for this he now publically apologised.

65 12/13 Apologies for Absence.

All council members were present.

66 12/13 Declaration of interests.

No interests were declared.

67 12/13 The Relationship between the Parish Council and the Amenities Committee.

The Chairman stated that the opinion of the EALC, based on the evidence provided by the council, is that the Amenities Committee is a committee of the council.

Councillor Hatch said that he is unhappy with the actions of the Parish Council and stated that only evidence provided by the Parish Council had been forwarded to the EALC. No evidence had been forwarded on behalf of the Amenities Committee. He added that the EALC had only provided an opinion rather than a ruling as to whether or not the committee is a committee of the council.

The Chairman said that there are different views on this but the Parish Council will act in the best interests of the parish and will act on the advice of the EALC.

The Chairman then proposed a motion to dissolve the Parish Council’s Amenities Committee allowing them to form their own independent organisation. He read out the motion:-

“The Council recognises that members of the Amenities Committee wish to be independent of the Council and so the Council hereby dissolves its Amenities Committee (created by the council in 2001)”.

Councillors were then asked to vote on the motion.

Councillors Wilcox, Middleton, Ashmore, Christmas voted for the motion. Councillor Hatch voted against.

The motion was passed. The Amenities Committee would now be able to form their own voluntary organisation.

68 12/13 Amenity fund. Who is responsible for the fund and how it will operate now and in the future.

The Chairman said that historically expenditure from the fund has been agreed by the Parish Council. The advice received from the EALC is that the Parish Council is responsible for the fund. The newly formed organisation will continue to come to the Parish Council for expenditure to be agreed.

The Chairman said that although there is a perception from some members of the public that the Parish Council wishes to use the fund for its own financial obligations, this is not the case.

Councillor Hatch informed the Council that he has sought legal advice. He stated that he is a trustee of the fund and he is not allowed to give the fund to the Council. However, the Chairman said that if he is entrusted with the fund then he needs to see a trust deed and no trust deed has been found. As soon as the new organisation is properly constituted then control of the fund will be passed to them.

Councillor Hatch said that the Amenities Committee reports to the Council and shares information with the Council but it has never been part of the Council.

The Chairman said a committee, by definition, cannot be autonomous.

The Chairman said that he has asked for documentary evidence to prove the independence of the committee but none has been provided, therefore in the best interest of the village, the Parish Council will retain responsibility for the fund for the time being.

As agreement could not be reached about the origins of the committee and ownership of the fund then legal advice would be sought.

The Chairman read out the motion:

“ The council is currently responsible for the Little Bromley amenities fund which it will continue to keep in a separate bank account and the money will be used solely for the benefit of the village of Little Bromley (such as events and fund raising)”. Councillors were then asked to vote on this motion.

Councillors Wilcox, Middleton, Ashmore and Christmas voted for the motion. Councillor Hatch abstained.

The motion was passed

Councillor Hatch was unaware that the Little Bromley Parish Council standing orders had been approved by council. In answer to a question raised, Councillor Hatch was informed that the standing orders had been agreed and signed without query.

Councillor Hatch was unhappy that the public had no right to a voice at this meeting, the Chairman therefore agreed that a parish meeting could be held before the next full Parish Council meeting.

The meeting closed at 8.00pm.

The next meeting will be on 6th September.

Approved by:..... Chairman Date.....

(Clerks note: because of annual holidays and legal requirements on notice periods, seven clear working days, the earliest date that a meeting could be held falls within the same week as the next Parish Council meeting. Councillor Hatch agreed that it would be sensible to wait until the next full meeting of the Parish Council).