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*For the community...by the community...*

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# EXTRAORDINARY MEETING OF THE PARISH COUNCIL

24 October 2023 – 7pm

## MINUTES

**Present Councillors:** Cllr. Buckenham (Chair), Cllr. Gallop (V/Chair), Cllr. Marshall, Cllr. Snell, Cllr. Berryman, Cllr. Spence, Cllr. Howard, Cllr. Gale.

**Clerk and RFO:** Mr S Baxter (by remote access)    **Members of the public (MOP):** 17 including Ward Councillor Aldridge from ELDC.

**Meeting commenced at 7pm. Meeting was held at the North Thoresby Village Hall, North Thoresby.**

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### AGENDA ITEMS FOR DISCUSSION AND DECISION

**NOTE:** The Clerk was in attendance by remote means but was able to advise and help the Chair and the Council as needed.

#### **1. CHAIR'S WELCOME**

The Chair welcomed everyone to the meeting and thanked the councillors for attending and made everyone aware that the meeting may be recorded.

Before the Chair had actually properly opened the meeting, Cllr Gale stated that in her opinion the meeting was not valid due to the fact that the Chair or the two councillors that had called the EOM had not signed the summons and agenda.

The Chair stated if Cllr Gale wished to make an objection she needs to wait for the meeting to actually properly open and follow proper procedure.

The Clerk then accepted from the Chair that the meeting had been opened and then asked if any Councillor wished to make a comment. Cllr Gale again stated that in her opinion the meeting was not valid.

The Clerk stated that Cllr Gale's opinion of validity was noted and recommended to the Chair to continue the meeting.

#### **2. TO RECEIVE APOLOGIES FOR ABSENCE**

The Clerk confirmed that he had received apologies from Cllr. Jones who was not available due to prior commitments which the Clerk agreed were of an appropriate nature but the final decision of legitimacy lies with the Council.

The Councillors were invited to make any responses to the apology and if there were no objection, for the apologies to be accepted by way of a proposer, seconder and vote.

There were no objections by the Councillors to the absence of the Councillors.

- ***Motion to accept the apologies of Cllr. Jones was proposed, seconded and agreed unanimously. Motion carried.***

### **3. TO GRANT DISPENSATION TO COUNCILLORS: To receive any declarations of interest in accordance with the requirements of the Localism Act 2011 and to consider any requests for dispensations**

The Clerk confirmed that no declarations have been received from any Councillors prior to the meeting - he asked all Councillors if they wished to offer any declarations for any subject of the Parish Council Meeting.

Cllr Gale stated that as the last agenda point “...was obviously about her...” she wanted it to be noted that she may have some interest in the agenda point.

The Chair and the Clerk stated and reminded Cllr Gale that there is no name on the final agenda point and it simply states ***Actions and Communications of a Specific Councillor*** - and thus her statement that the point is about her is her assumption and is not based on any published detail or without merit. The Chair stated that if she thinks the last agenda point is about her then that is her assumption.

Cllr Gale asked the Chair to clarify if the agenda point is about her - to which the Chair stated that there is no name on the agenda point and it will be discussed in the closed session.

Cllr Gale asked on numerous occasions what the term ‘*pecuniary*’ meant which was described to her.

The Clerk confirmed that no other declarations were offered and thus it can be considered that there is no pecuniary interest of any Councillors which would affect their voting of any motion on the agenda.

Cllr Gale continued to make state various statements. The members of the public, including Cllr Aldridge (ward councillor who stated which role he was acting in and thus his name is published) then started to shout and abuse the elected Councillors. They stated continuously that the meeting was invalid and that nothing discussed was valid.

Due to the abuse and altercations by a minority of members of the public including Cllr Aldridge continuing to shout abuse and cause a serious disruption, the Clerk recommended to the Chair to propose a motion:

#### ***A motion to suspend the meeting as per the standing orders***

- ***Motion to suspend the meeting of the Parish Council was proposed, seconded and agreed by majority. Motion carried.***

### **THE MEETING WAS THEN FORMALLY PLACED IN SUSPENSION AS AT 7.14PM.**

Due to the ongoing altercations by a minority of the members of the public and Cllr Aldridge (Ward Councillor) who was very abusive and angry towards the Chair, the Clerk recommend to the Chair that he propose a motion to clear the room for the safety of the Councillors and to allow the meeting to then continue without any members of the public present and if they refuse then the Police for the safety of all in attendance will be called.

**A motion to formally request the members of the public clear the room for the safety of all to enable the meeting to continue.**

- ***Motion to formally request that all members of the public in the main hall of the Village Hall vacate was proposed, seconded and agreed by majority. Motion carried.***

**NOTE:** Initially Cllr Aldridge refused to leave the main hall, but then walked out after a few minutes. One person, a former Parish Councillor, refused to leave the main hall and thus the Police were called for the safety of all.

The Police arrived a short time later and spoke to the Clerk at length of the legality of the meeting and the formal motion of the Council to ask all members of the public, including Cllr Aldridge, to leave the main hall. They spoke to the Chair and various Councillors and ascertained the issue at hand.

The Police then ensured all members of the public left the main hall and proper order was restored.

The Clerk stated to the Chair that a formal motion will be needed to restore the meeting.

- ***Motion to recommence the EOM of the Parish Council was proposed, seconded and agreed unanimously. Motion carried.***

## **THE MEETING WAS THEN FORMALLY RESTARTED AS AT 8.29PM.**

**4. DEVELOPING A BETTER APPRECIATION of the Good Councillor's Guide, the council policies and procedures in place, and the dynamics of how a council operates including communication** - discussion of Councillors and agreement on communication to members of the community

The Chair opened the discussion and read a statement:

This statement is made to ensure everyone clearly understands how every parish council in England functions.

*A Parish Council is a corporate body – a legal entity separate from the individual members and its decisions and statements are the responsibility of the whole body – not one person. It is a democratic body, so each and every councillor has an equal vote. No one councillor is either better or worse than another, and no one has more power than another - although if the council thinks something will better serve the community, it may by majority vote give greater responsibilities to one or more of its members. It employs what the statute calls a “Proper Officer” in the form of a clerk and responsible financial officer. Although an employee, as the Governance Toolkit states “The clerk is an independent and objective servant of the council who takes instruction from the corporate body”. So no single councillor can ever tell the clerk what to do – even the chair of the council simply requests - it is only the council as a whole that can specifically instruct the clerk. This is why it is only the clerk who records the minutes of meetings; it is the clerk who documents the business, motions, votes, intentions and instructions of the council – yet it is the council as a whole who must then vote to accept the substance of those minutes.*

*The clerk is both the engine, adviser and administrator of the council. It is the clerk who arranges action, who reports back on matters raised by the public, and who advises on points of law, procedure and*

*finance, and every member of the council must take into consideration the advice they receive from the clerk before making their decision. It is also the clerk who writes correspondence and issues statements on behalf of the council and according to the council's instructions. No individual councillor has the authority to make any statement as a councillor or on behalf of the council without the permission of the council. However, unlike at district and county level, parish councillors are part time volunteers and not employees, and the council is not in daily session even though the business of the council is ceaseless between meetings - and some things must be addressed in a timely manner or the council and community suffer. The only way to make this work at our level is for the Chair, who the "Good Councillor Guide" accurately describes as simply a team leader, to reach an agreement with the clerk between meetings on what is lawful and what their understanding of the stance of the council is on something that arises, and then act towards achieving that. Often there is a simple agreement, but sometimes there is either uncertainty or disagreement; in which case at least 2 councillors are contacted informally for their opinion so the Chair and the clerk can get guidance, and then if requested they can explain and discuss their actions in more detail during the open session at the next meeting. This affords both transparency and accountability.*

*There are over 50 laws and Statutory Instruments that a council must obey, and nobody can be expected to be an expert in them all. Instead we have policies, procedures and standing orders to guide us through the labyrinth, and if councillors abide by these they are unlikely to break those laws. However, they are only a guide and certain things, like employment law, will always take precedence over the parish council's documents. There is also the Nolan Principles on standards in public life to guide, and one extremely important document to adhere to: The Councillor Code of Conduct – this is the ethical framework by which councillors must operate. By accepting office every councillor is agreeing to adhere to the Code of Conduct, and commit to a range of principles. They must act with honesty, integrity, and impartiality, ensure that personal interests do not compromise the well-being of the community, and embrace accountability for their actions. Moreover, they must maintain respectful and professional conduct in council meetings and dealings with colleagues and constituents; and they are committing to maintaining confidentiality, preserving sensitive information and the trust of the community. This is because a Parish Councillor's adherence to the Code of Conduct is paramount in upholding the integrity and effectiveness of the council. By adhering to the Code a councillor fosters public trust and confidence in the local government, ensures that the decision-making processes remains fair, ethical, and in the best interests of the community, and promotes unity among council members while helping to maintain a focus on the needs of the community rather than personal agendas. Without this, a council will fall.*

The Chair asked if any Councillor would like to make a comment.

The Chair was asked if the statement would be published - the Clerk confirmed it would be included in the minutes and everything would be published in due course as other minutes were.

No further comments were made.

## **5. TO PROPOSE TO EXCLUDE MEMBERS OF THE PUBLIC AND PRESS FROM PARTICIPATION**

The Clerk stated that while there were no members of the public present due to the previous motion, for proper procedure it would be best practice to have a formal motion and vote to agree to exclude any members of the public or press from being present and go into a closed session.

- *Motion to exclude the members of the press and community and go into a closed session were proposed, seconded and agreed unanimously. Motion carried.*

## **5. COMMUNICATION FROM CERTAIN MEMBERS OF THE COMMUNITY** - agreement of management of these communications

Due to the fact that the Council agreed to go into a closed session due to the confidentiality of the agenda point, no minutes of the discussion will be published. A formal report of the record of the discussion points will be produced for the perusal of the Parish Councillors only.

*The Motion: The Council agree that they formally direct the Proper Officer to ensure that any communication from [name/s redacted due to confidentiality] should only be provided to the Council at the next available Full Parish Council and not sent beforehand with the exception of anything considered very urgent of which the Proper Officer can seek the guidance of the Chair of the Parish Council.*

*The Motion proposed, seconded and agreed by a majority with one abstention. Motion carried.*

## **6. MOTION TO AGREE CHAIR OF HR & FACILITIES COMMITTEE** to chair the following agenda point

Due to the fact that the Council agreed to go into a closed session due to the confidentiality of the agenda point, no minutes of the discussion will be published. A formal report of the record of the discussion points will be produced for the perusal of the Parish Councillors only.

There was no proposer of the motion and thus the motion automatically failed.

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THE CLERK OF THE PARISH COUNCIL STATED THAT DUE TO REASONS DECLARED TO THE CHAIR ABOUT THE FOLLOWING AGENDA POINT, HE WOULD WITHDRAW FROM THE MEETING AND WOULD INVITE THE CHAIR OF THE PARISH COUNCIL TO TAKE NOTES FOR THE FORMAL MINUTES AND RECORD. HE DID STATE THAT HE WOULD BE AVAILABLE IF ANY PROCEDURAL ISSUES NEED CLARIFICATION.

THE CHAIR AGREED IT WAS APPROPRIATE FOR THE CLERK TO WITHDRAW AND CLLR HOWARD WOULD TAKE NOTES FOR THE REPORT OF THE RECORD OF THE DISCUSSION CREATION.

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## **7. ACTIONS AND COMMUNICATIONS OF A CERTAIN PARISH COUNCILLOR** - discussion of the Parish Council on the ramifications of this person's actions on community and staff and agree a formal course of action

Due to the fact that the Council agreed to go into a closed session due to the confidentiality of the agenda point, no minutes of the discussion were published. A formal report of the record of the discussion points would be taken and provided for the perusal of the Parish Councillors only.

- *Motion to agree that the actions and communication from Cllr. [name redacted due to confidentiality] to be sent to the Monitoring Officer of ELDC for possible code of conduct violations were proposed, seconded and agreed by majority. Motion carried.*

Meeting was closed by the Chair at 9.15pm.

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