



ARDINGLY PARISH COUNCIL

Parish Clerk: Bernadette Cox
c/o The Post Office, 37 High Street, Ardingly, West Sussex, RH17 6TB
Tel: 01444 226 209 Email: ardinglypc@hotmail.co.uk

Minutes of the Remote Extraordinary Ardingly Parish Council Meeting held on Thursday 23rd July at 6pm on the Microsoft Teams Platform

Present

Councillor D. Stutchbury (Chairman)
Councillor C. Hotblack (Vice Chairman)
Councillor J. Aloof
Councillor P. Burr
Councillor R. Chalk
Councillor B. Gass
Councillor J. Horsman
Councillor K. James
Councillor J. James
Councillor B. Strutton
Councillor G. Taylor

In Attendance

Mrs. B Cox (Parish Clerk)
Anne Bott (SSALC)

1587.1 Public Questions

There were no members of the public present besides the three Co option candidates and no issue were raised.

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| 1588 | Procedural Matters 1588.1 There were no apologies for absence 1588.2 There were no declarations of interests | |
| 1589 | Governance 1589.1 To hold the Co-option vote for the two open casual vacancies on the Council Councillor Stutchbury began the meeting by suggesting that he was unsure why the meeting was | |

taking place because at the July PC meeting it was agreed the Co option would be deferred until September. The Clerk responded and explained to the Chairman that was not the vote that was agreed at the July PC Meeting. She read from her notes of the minutes of the July PC meeting stating the PC voted as follows "After discussion the Parish Council took a vote to defer the Co Option until the advice given by the monitoring officer at MSDC had been clarified.

It was APPROVED 6/3 that the Co Option be deferred until the advice received by Councillor Chalk from the monitoring officer at MSDC could be clarified."

Councillors Stutchbury, Burr, Chalk and Strutton suggested that they did not believe this is what they voted for and that they in fact voted to defer the Co Option until September. The Clerk asked all members if they were suggesting she had not recorded the vote correctly in her minutes. Councillor Stutchbury suggested that there were a number of votes discussed and this may have led to confusion on what was being voted on., the Clerk challenged this and explained she read the vote out to the Full Council prior to them voting and then she roll called each member for their vote. Councillors J. James and Councillor Taylor agreed with the Clerk in terms of the vote at the July Meeting.

Councillor Stutchbury then moved on and said if that was the vote you have not clarified the monitoring Officer's advice so the Co Option needs to be deferred. The Clerk again challenged this and explained there had been a number of emails between the members and the Clerk detailing the her advice and the agencies she had contacted to confirm this advice to be correct including, democratic services, Surrey Hills Solicitors (the PC's own instructed solicitors) and SSALC. SSALC had also confirmed that the monitoring officer at MSDC has no jurisdiction at PC level and the PC's Clerk or Proper Officer's advice is the advice the PC should base their decisions on.

Councillor Burr suggested that the Clerk's advice was her opinion and not objective advice. The Clerk echoed by Councillor J. James and Councillor Taylor explained her advice is taken directly from the LGA 1972 it is not opinion. The Clerk then advised that if the PC want to dismiss the LGA 1972, her advice and that of, democratic services, SSALC and Surrey Hills Solicitors they can vote to do so but she will be recording that she strongly advises against this.

There was then discussion within the members on how the Co Option vote could go ahead. Members asked if the public could be removed form the meeting while the members voted and the Clerk explained that would not be considered a public vote and therefore would not be legal. It was then suggested that if the members asked the candidates to leave the meeting while they voted and the candidates agreed under their own free will could this be considered a public vote. The Clerk explained she did not feel this was in the spirit of transparency and it walked the line of legality but if the PC felt this was the only way forward and that the PC understood it walked the line it was their decision to make.

The candidates were asked if they would voluntarily leave the meeting for the Co Option vote to take place, all agreed.

The Clerk explained that the first vote would be for the 1st round against the 1st vacancy. The Clerk read each candidates name and role called each member for there vote. The Votes were as follows: LD 6 votes for, DP 2 votes for, MM 1 vote for

The Clerk then advised that MM had dropped out of the 1st vacancy vote. She then advised that the 2nd vote would be for the 2nd round of the 1st vacancy. The Clerk read each candidates name and role called each member for their vote. The Votes were as follows: LD 6 votes for and DP 3 votes for.

The Clerk stated that LD had been successfully Co Opted into the 1st Vacancy

The Clerk then explained that the next vote would be for the 2nd vacancy. The Clerk read each candidates name and roll called each member for their vote. The Votes were as follows: MM 8 votes for, DP 1 vote for

The Clerk stated that MM had been successfully Co-opted into the 2nd Vacancy

The Clerk then admitted the candidates back into the meeting. DP had dropped off the meeting so did not re enter the meeting. MM and LD were informed of their successful Co-option and the PC agreed the Clerk would contact DP to inform him on this occasion he was not successfully Co-opted on to the Parish Council.