

COLYTON PARISH COUNCIL
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MINUTES FOR AN EXTRAORDINARY COLYTON PARISH COUNCIL MEETING
CALLED BY CLLR ANDREW PARR
HELD WEDNESDAY 5th APRIL 2023 AT 7PM IN COLYTON TOWN HALL BOARD ROOM.

Present: Cllrs S Real, K Clifford, C Denny, J Gardiner, J Hay, A Parr, R Turner and A Stenning. Also S Haines (clerk)

Members of public: 4

E23/04/01 Receipt & Approval of apologies. Cllrs Arnott, A Mills, K Mills and C Pady.

Cllr Parr confirmed that he has called this meeting against the advice of the clerk, three clear days' notice have not been given to Councillors or the public but he felt the meeting was necessary, any decisions made will be taken to the Full meeting to be ratified.

E23/04/02 Declarations of Interest. None.

E23/04/03 Public Question time.

A member of public stood and spoke of how ironic and hypocritical the Parish Council are being. The meeting tonight is to discuss the timing detail of the recently successful and democratic CGR, when the calling of this meeting itself is unlawful and invalid in its timing as three clear days have not been given to the public or the Councillors. The Parish Council is being seen as trying to challenge EDDC for their actions when they themselves are falling foul of lawful procedures. The Parish Council will be held responsible for any actions it decides to take.

Another member of public stood and spoke of the following:

The agenda title states 'Colyford Appeal'. It is not an appeal by Colyford and it would be better titled 'Colyton legal challenge of the Colyford Community Governance Review'

They fully expect this item to be taken into committee and expect Councillors to not answer any questions, however, Councillors should know and consider their Code of Conduct and their responsibilities to serve their communities. Councillors should consider the following:

Interest of the Community – Whatever legal action is taken, can Councillors be morally sure that it is for the benefit of the Community as a whole rather than that of the Council or Chairman? How will Councillors communicate their course of action to the community and explain any funds used?

Democracy – this is serious legal business and action should not to be taken lightly. As a Council, you are challenging the constitutional democracy of the country, which is at the heart of UK legislation. The Council may be held responsible for its actions.

Cost – There is a price to pay for legal action whether legally or illegally agreed. Council funds may well need to cover legal fees for itself plus EDDC and these will accumulate quickly at every step of the challenge.

Failure will be expensive and counted in thousands of pounds. After appealing that the new budget and increased Council tax was causing financial difficulties, how will the legal expenditure be explained?

Trust – a Colyford Shadow Council now exists and a new Parish Council comes into force of 15th May. Any action taken now against the CGR will undoubtable erode trust. Every action has a reaction so trust and integrity will be eroded in public servants of the community.

Election – local elections on 4th May will probably change the PC composition. Any decision made now may leave legal issues for successors.

A third member of public stood and stated that throughout the CGR process, the Parish Council have put up resistance. What is the point? They are disrespecting the will of the community and should stop wasting public money as all they are doing is further damaging their reputation. This legal challenge will completely clean out the reserves of the Parish Council. Then what? It is a lost cause. What will it achieve and why? The

Parish Council are about to spend a fortune to recover an insignificant amount - the three fields. What is the point?

E23/04/04 Colyford Governance Review appeal. Cllr Parr proposed this be taken into committee so the members of public left the room.

Cllr Parr stated that EDDC are out of time on this matter. The whole process should have been completed in September 2022. EDDC were following the wrong legislation; the updated version of 2015 states that CGRs should be completed within 12 months of the authority receiving the petition. EDDC received the Colyford petition in October / November 2021 and published the RO in January 2023. This was pointed out to Mark Williams on 1st March and he argued that this was incorrect. He was emailed again on 6th March and he stated he would get his legal team to look at it but he never came back - clearly a delay tactic as time to appeal expires on 11th April.

Cllr Gardiner proposed the Solicitor be asked to issue the forms to the High Court, at a cost of approx. £500. This was seconded by Cllr Real and agreed.

Cllr Parr stated that we could always sell one of the fields if we get into financial trouble.

Cllr Denny commented that the boundary should never have included the three fields.

E23/04/05 Items brought to the chairs attention after the agenda published – to be noted.

E23/04/06 Dates of future meetings:

Full CPC – Tuesday 11th April

APM – Wednesday 19th April – 7:30pm

Committees – Monday 24th April.

Meeting closed: 19:45