

CEMETERY LODGE – 15.4.19

As an incoming Town Councillor, I would like to see a list of all contractual arrangements made by the Town Council since 1 October 2019, including the following:

1. Date of agreement (ie date signed)
2. Date agreed by the Council
3. Reason (ie what is the agreement for)
4. With whom was the agreement made
5. Price.

In addition to the above I wish to see as a matter of urgency ALL documentation relating to the sale of the Cemetery Lodge agreed at the Council meeting of 26 March 2019. This must include all documentation circulated to members including the detailed business case setting out the options that allowed Members to reach the decision to sell, how and when the Lodge was marketed, what offers were received, and to whom the sale has been agreed.

I am concerned that the draft minutes do not, as they should, incorporate a summary of the discussion to indicate how and why the Council reached this decision. The draft minutes also claim that the decision was unanimous - I would be interested to know on whose instruction this was included as it patently untrue. Given this, the information provided to me should also include a more detailed transcript of the 26 March agenda item discussion than has been made available, including any and all notes made by the Town Clerk and members, as well as any emails relating to this that have not been widely circulated within the Council.

I strongly recommend that the sale process be suspended pending an in-depth, open-ended review of the Council's decision and the procedures and processes followed, which should be conducted by a panel of incoming (new) Members.

As the discussion was held in public session, all the above should be readily available alongside the minutes, ie is public information. I expect to receive this not later than 4pm on Thursday 18 April.

Yours sincerely,

Request received
Date: 15.4.19

To reply by
Date: 15 .5.19

Thank you for your email, in answer your questions:-

The minutes are correct, it was voted unanimously, you seem to have been misinformed.

As you already know:-

- Contracts are confidential and Part 2 business, not available to the general public
- As per Cilca – minutes should be brief and concise & not incorporate a summary, just record the decisions made
- As per our standing orders No.7 – A Resolution can't be reversed within 6 months

You also should know that as an incoming Councillor you are not officially a Town Councillor until after you have signed your papers, and even then you cannot demand anything from me, I answer to the Council as a whole and not individual Councillors.

Reply
Date: 18.4.19

<p>So just to let you know that if you send me a demanding email again I will not be answering it.</p> <p>Should you require any information please visit our website where the Agendas and Minutes of all meetings are freely available for everyone to view</p>	
<p>First, I was not 'misinformed' about the minutes. I have simply read what is available, something I do not require assistance with. I found them unclear on this point. You may wish to make sure they are made so. Second, as per standard minuting practice (including Cilca) minutes should incorporate an indication of how and why a decision was made, particularly one that may be controversial. This is because they are not simply a record for the existing organisation / members, but a record for the public and for the future. As they stand the minutes simply state that the council decided to sell an asset. Without that summary, or documentation annexes showing the case and advice on which this was based, such a decision and indeed the timing are open to question and challenge. And if the incoming council chooses to revisit the decision, that is a decision it will take.</p> <p>So I will ask again to see all the advice, including the business case and legal advice, provided to the council to allow them to reach this decision. I presume this will include properly costed options including both a professional assessment of sale value in current and renovated condition and on the costs of a public sector loan set against future income, and legal advice on the sale of council assets based on Circular 06/03 and matters concerning state aid. You may now consider this to be a request under the Freedom of Information Act.</p>	<p>Response Date: 18.4.19</p>
<p>Please read the penultimate paragraph of my previous email. I disagree with your interpretation of the minutes, obviously your Cilca was different to mine, LO10 - minutes should just include actions, dates, tasks and decisions.</p> <p>Freedom of information request noted</p>	<p>Reply Date: 18.4.19</p>
<p>I am glad you recognise the FOI request. You should of course be aware that the date it is to be measured from is Monday 15 April, as that was recognisable as such a request (the Act does not need to be quoted or explicitly referred to). I'm also sure that, as a qualified clerk, you are aware that contract discussions are confidential and subject to Part 2 rules, once agreed the information relating to them is public. I do not wish to see the contracts, but the other information I asked for is public domain and therefore must be released on request. I am sure you will add this to the package of documents you are obliged to release in accordance with the Act.</p>	<p>Response Date: 18.4.19</p>
<p>A notice of Fees was sent on 15.5.18, no reply was received within 3 months, so FOI request has been cancelled</p>	<p>Completed Date: 15.5.19</p>