



## **SOUTHWATER PARISH COUNCIL**

Beeson House, 26 Lintot Square, Fairbank Road, Southwater,  
West Sussex RH13 9LA

Telephone number: 01403 733202

Email: [Clerk@Southwater-pc.gov.uk](mailto:Clerk@Southwater-pc.gov.uk)

Community Website: [www.southwater-pc.gov.uk](http://www.southwater-pc.gov.uk)

### **Minutes of Extraordinary remote meeting of the Parish Council held on Friday 4<sup>th</sup> September at 10:30am.**

#### **Present:**

**Councillors Present in Chamber:** G Watkins (Chairman)

**Councillors Present by Remote Means:** M Neale (Vice Chairman), G Cole, G Scoon, D Moore, B Stranks, H Timson

**Members of the Public:** were able to view meeting by Live YouTube Stream

**Deputy Clerk:** Justin Tyler

This meeting was conducted in accordance with safe working practices as per government guidelines. All those present in the Chamber had their temperature taken prior to the meeting and all were within the government guidelines for safe attendance in regards to COVID-19. He clarified to all those in the room that if symptoms developed during the meeting or they felt unwell in any way to please leave the room.

The Chairman confirmed that the meeting was not being recorded and did a roll call at the commencement of the meeting of all those attending both remotely and in person for the benefit of those viewing the streamed meeting. He stated that the meeting was being held in accordance with Government Regulations approved during the COVID-19 Pandemic for the period of May 2020 – May 2021.

The Chairman welcomed all Councillors in attendance both remotely and in person and all members of the Public watching via live stream, to the meeting. He clarified with the Deputy Clerk that no members of the public had requested to speak at the meeting. He stated that when a member of the public does request to speak in any convened meeting that public are invited to speak at, this would be for maximum of 5 minutes

The Chairman confirmed with all Councillors that they had received the documentation required to consider the Agenda items.

The Chairman clarified the voting protocol required for decisions, etiquette required to conduct the meeting and housekeeping rules and also reminded all Councillors that if an interest had been declared, they would not be able to take part in any discussion or vote. Voting would be symbolised by a thumbs up for approval, down for against or horizontal hand for abstention. He explained that in cases where, in the opinion of the Chairperson, there is consensus, the Chairperson may seek to secure agreement whilst providing an opportunity for any dissenting members to be heard or to request a formal roll call vote

The Chairman explained that if meeting was at any point not accessible to Councillors/Chairperson through remote means due to any technological or other failure of provision, then he would immediately adjourn the meeting. If the provision of access through remote means could not be restored within 10 minutes, then the remaining business will be considered at a time and date. If a new date could not be fixed the remaining business will be considered at the next ordinary meeting.

#### **Actions**

The Chairman requested a dispensation at the start of the meeting in relation to Item 81/20 as per 13(d) of the Standing Orders.

The Chairman's request for a dispensation included informing the Council that it was a personal interest as Trustee of the CIO, he stated that he would not participate in the discussion and would not have a vote. The dispensation was required for this extraordinary council meeting only and was required in order to keep the meeting quorate.

In the absence of the Proper Officer (Clerk), Dawn Spouge, the Deputy Clerk granted a dispensation for the Chairman to remain in the meeting as per 13(e) and 13(h)(i) of the Standing Orders. The Deputy Clerk read out the following for reference:

*13(h) A dispensation may be granted in accordance with Standing Order 13(e) if having regard to all relevant circumstances any of the following apply :-*

*(i). without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;*

#### **78/20. Apologies for absence**

Apologies received from Councillors Flores-Moore, Vickers, Lewis and Williams

#### **79/20. Declarations of Interest**

Councillors Watkins, Neale, Cole declared a personal interest in relation to item 81/20 as Trustees of Southwater Ghyll CIO.

#### **80/20. Public Question Time – 15 minutes in total. Members of the public can only view the meeting and not take part unless pre-arranged with either the Clerk, Deputy Clerk or Chairman of the meeting.**

*Participating members of the public will be limited to 3 people maximum per meeting. Each member of the public can only refer to items on the agenda and will be allowed to ask one question and one ancillary questions that combined will not last any longer than 5 minutes. Once participating members have asked their questions or made their statements as above, they will be removed from the meeting accordingly and will then only be able to access the meeting via live stream.*

No Public requested to speak at the meeting.

The Chairman advised that Clause 7 of the Standing Orders meant that a resolution could not be reversed within six months except either by a special motion, by written notice from at least 2 councillors to the Proper Officer in accordance with Standing Order Clause 9 or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

He confirmed that the Deputy Clerk had sent all documents relating to Item 81/20 to the Councillors in advance of the meeting which included a report of the decisions resolved by the Council to date relating to The Ghyll/Leisure Centre and proposed CIO.

Councillor Neale requested if he could speak on item 81/20 prior to the Council discussing the item and prior to him being placed into the virtual waiting room. The Chairman granted permission to Councillor Neale to speak.

***The Chairman suspended Standing Orders.***

Councillor Neale gave a history of the Leisure Centre to date and when work had commenced on the project of outsourcing the Leisure Centre (now known as The Ghyll), first with the working party meetings and the rationale behind the change from a Community Interest Company (CIC) to Charitable Incorporated Organisation (CIO) to manage the facilities. Part of the benefit being that a CIO can benefit from non-domestic rate relief whereas a CIC cannot.

He advised that the Council were unable to find any interest parties prepared to commit to take on the management of the Laurie Apted Building either and this was thus brought into the remit of the CIO.

The CIO was formed and registered with the Charity Commission then COVID-19 pandemic hit which caused the closure of the buildings and halted all progress.

He advised how much work had gone into the preparations of all the documents from not only the Council's side but also the Trustees of the CIO. He also stated that the CIO was a completely separate legal entity and the Trustees eagerly wanted to get on with managing both buildings as soon as possible as users of The Ghyll are becoming frustrated with the delays to re-open. He noted that until the legal agreements were finalised and signed the CIO would be held back from progressing.

***The Chairman reconvened Standing Orders.***

***Councillors Neale and Cole were placed in the Virtual Waiting Room by the Deputy Clerk.***

***The Chairman remained in the meeting as per the dispensation requested but stated he could not discuss or vote on 81/20.***

**81/20 The Ghyll CIO – Recommendation to consider the following:**

- i. pursuant to earlier resolutions of the Council to note the creation and registration as a charity of Southwater Ghyll Charitable Incorporated Organisation (the CIO).

Noted by all.

- ii. that having considered the financial and operational options, to confirm that the operation of Southwater Leisure Centre (now known as The Ghyll) and the community building (now known as the Laurie Apted Building) be outsourced to the CIO.

Noted and **AGREED** by all.

- iii. to approve the financial arrangements set out in Schedule 4 to the draft Leisure Management Agreement.

Councillor Scoon stated he had some queries relating to the legal agreement and Schedule 4. The Deputy Clerk confirmed that all his comments had been sent onto the Council's solicitor and the solicitor had updated the main legal agreement accordingly which was emailed onto Councillor Scoon prior to the meeting. The Deputy Clerk advised that it would be possible for Councillor Scoon to bring any additional comments to the Clerk for review prior to finalisation of final documents.

Councillor Timson proposed acceptance of 81/20 iii), seconded by Councillor Moore and **AGREED** by 3 Councillors and 1 abstention.

Discussion took place over the interrelatedness of items iv to viii. Councillor Timson proposed to vote for approval of all 5 items as they were interlinked. The Deputy Clerk read out items 81/20 iv to viii. for clarity.

- iv. to approve subject to v. below the draft Leisure Management Agreement with the CIO.
- v. to authorise the Clerk and in her absence, the Deputy Clerk of the Council, to agree the final version of the Leisure Management Agreement and any associated, supplemental and/or consequential documents.
- vi. to authorise the execution of any and all of the documents referred to in v.
- vii. to authorise the completion of the Leisure Management Agreement and any associated, supplemental and/or consequential documents.
- viii. to authorise the Clerk and in her absence, the Deputy Clerk to be and to act as the Council's Representatives under the Leisure Management Agreement to manage the Agreement and to agree minor changes and modifications to the Services.

Councillor Timson proposed to approve items 81/20 iv. v. vi. vii. and viii., seconded by Councillor Moore and **AGREED** unanimously.

*Councillors Neale and Cole were brought back to the meeting from the Virtual Waiting Room by the Deputy Clerk.*

**82/20. DATE OF NEXT MEETING – 16<sup>th</sup> September 2020**

**Meeting ended at 11:05am**