



**Windlesham Parish Council**

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**MINUTES OF AN EXTRAORDINARY MEETING OF WINDLESHAM PARISH COUNCIL**  
 Held on Friday 5<sup>th</sup> June 2020, at 6.00pm held by remote conferencing on Zoom

Bagshot Cllrs		Lightwater Cllrs		Windlesham Cllrs	
Bakar	A	Barnett	PZ	Goodman	PZ
Chambers	PZ	Galliford	PZ	Hansen-Hjul	PZ
Gordon	PZ	Halovsky-Yu	PZ	Stacey	A
Manley	PZ	Harris	PZ		
Trentham	PZ	Hartshorn	PZ		
Willgoss	PZA	Jennings-Evans	PZ		
White	PZ	Malcaus Cooper	PZ		

**In attendance:** Sarah Walker – Clerk  
 Jo Whitfield – Assistant Clerk

Members of the Public were able to view proceedings live on Facebook

**1,772**  
 People reached

**1,178**  
 Engagements

PZ – present by Remote Attendance      A – apologies      PZA – part of the meeting  
 - no information

Cllr White was in the Chair

<b>C/20/19</b>	<p><b>Apologies for absence</b></p> <p>Apologies for absence were received and accepted from Cllrs Bakar and Stacey.</p>
<b>C/20/20</b>	<p><b>Declarations of interest</b></p> <p>The following declarations of interests were made:</p> <p>Cllr White declared that she is the Council representative on the Bagshot Society and had been in conversation with CLAG in the days leading up to the meeting.</p> <p>Cllr Goodman declared that as part of his County Council role he has been having conversations with County Officers and CLAG over the last 18 months, up to and including emails on the 4<sup>th</sup> June 2020.</p> <p>Cllr Willgoss declared that he is a Member of CLAG and was instrumental in the</p>

	<p>group's foundation. He also declared that he is a Member of Bagshot Society and sits on the Bagshot Society Committee.</p> <p>Cllr Trentham declared that she is the Chair of Bagshot Society and has been in receipt of emails from CLAG.</p> <p>All other councillors present declared that they had either been in conversation with CLAG or been in receipt of emails from CLAG within the last 18 months.</p> <p>The Clerk clarified with Cllr Willgoss that he was a current member of CLAG, which he confirmed. Cllr Willgoss was notified by the Clerk that both his membership of CLAG and his involvement in the foundation of the group represented a conflict of interest and therefore he would not be eligible to vote.</p> <p>Cllr Willgoss expressed his displeasure in no uncertain terms and was removed from the meeting into the waiting room and the meeting was suspended at 18:14pm.</p> <p><i>18:15 Cllr Willgoss left the meeting.</i></p> <p><i>18:23 the meeting resumed.</i></p>
<b>C/20/21</b>	<p><b>Exclusion of the press and public.</b></p> <p>There were no items to be dealt with after the public, including the press, had been excluded under S1(2) of the Public Bodies (Admission to Meetings) Act 1960:</p>
<b>C/20/22</b>	<p><b>Public question time as submitted to the Clerk prior to the meeting</b></p> <p>There were no questions submitted.</p>
<b>C/20/23</b>	<p><b>To discuss the request from Chapel Lane Action Group for funds towards legal costs to fight the appeal from Cala Homes regarding development at Chapel Lane.</b></p> <p>The Clerk informed Members that Chapel Lane Action Group wish to become a Rule 6 party in the appeal inquiry relating to the CALA homes application to develop the Woodside Cottage site at Chapel Lane, Bagshot, and have approached Council with a request to fund £21,360 of the barrister's fees, which would enable them to take part.</p> <p>Due to the nature of this request Members were provided with substantial information prior to the meeting regarding the amount and purpose of the funding.</p> <p>Members were provided with a copy of the email from the barrister giving a breakdown of their fees, along with a narrative from the Clerk explaining that CLAG had based their request on the barrister attending only 2 days out of the anticipated 4 days of the inquiry and that provision had only been made for one hour of additional work by the barrister. Therefore, there could be a possibility that the barrister costs could end up being more than the value requested. CLAG also need to find funds in the region of £12,000, to pay for an expert witness.</p> <p>The Clerk informed Members that she had been in contact with CLAG and had received an email confirming that the overall amount requested from the Council was £21,360.</p>

Along with the above information, Members were provided with the Planning Inspectorates guide to Rule 6 for interested parties involved in an enquiry, and informed that both Surrey Heath Borough Council and Surrey County Council were attending the inquiry to oppose the appeal, therefore in order for CLAG to be granted Rule 6 status they will need to demonstrate that they will bring a different viewpoint which could substantially add to the evidence.

Councillors were urged to consider that as two levels of local authority are already involved in the appeal, considerable public money is already being spent. If Council funded CLAG it would see the same taxpayers effectively paying a third time for the same purpose so Council need to be sure that the benefit of CLAG having rule 6 party status is commensurate with the funding being requested.

Members were also provided with the full advice obtained from SSALC with regard to the potential risks to the Council.

### **Advice from the Clerk**

The Clerk advised Council that in her opinion the areas of highest risk were not having full accountability for the expenditure, and the potential to compromise the Council's planning role moving forward. The Clerk also stipulated that she had serious concerns about the precedent this would set for Council in the future.

Accountability - Regarding accountability the Clerk reminded Council that a payment to CLAG would be outside its methods for funding to be provided to local groups/projects through the grant policy and that the Council has no other regular means by which to give funds out, therefore any consideration of financial support to CLAG would be an ex-gratia payment outside the scope of any Council policy.

Members were also reminded that, under the Council grant policy, as an unconstituted group, CLAG would not qualify for a grant other than a Community Pride grant with a maximum amount of £1000 available to each group. Currently all groups, applying for such substantial sums of money would be expected to submit - accounts, constitutions, full application forms showing quotes/tenders obtained for the work involved etc so Council could satisfy themselves that money requested was justified.

In light of this the Clerk made it clear that Councillors needed to be aware that providing this level of funding to an unconstituted group, without the same level of scrutiny usually applied under grant conditions could lead to substantial criticism and that Council needed to be prepared to justify why they wouldn't apply the same criteria to future requests for funding from other unconstituted groups.

Council's role in planning – one of the main functions of the Council is to act as a consultee in all planning matters in the Parish area. If funding were to be granted, this position could be compromised in the future.

Setting a precedent – The Clerk advised that if Council was minded to agree the funding, it must be prepared for future requests made in a similar vein

How the request could be funded – The Clerk informed Members that if Council resolved to provide the funding requested, the bulk of it could be funded from the Bagshot Village reserve with the remaining balance being funding from the

general reserve.

### Conclusion

Members were asked to consider the information presented to them and to decide whether or not to grant CLAG funding of £21,360, and if the request were granted to agree how this would be funded.

Members held a lengthy discussion on the benefits and implications of the funding request and the following proposals were put forward:

**Cllr Goodman proposed, and Cllr Jennings-Evans seconded that subject to legality checks, and CLAG forming a constitution and opening a bank account, Members award £10,000.00. With the agreement of Cllr Goodman and Cllr Jennings-Evans, Cllr Halovsky-Yu requested that from the £10,000 grant the Council would deduct a fixed amount to allow the Council to assist CLAG with mailshots to raise further funding. A vote was taken with 6 in favour, 8 against and 0 abstentions.**

**Cllr Malcaus Cooper proposed, and Cllr Manley seconded that Members award match funding of £17,500 subject to CLAG forming a constitution and opening a bank account. A vote was taken with 4 in favour, 10 against and 0 abstentions.**

**Cllr Galliford proposed, and Cllr Barnett seconded that Members grant the full amount of £21,360.00. A vote was taken with 9 in favour, 5 against and 0 abstentions.**

**Cllr Harris proposed, and Cllr Malcaus Cooper seconded that Members award match funding of £20,000. A vote was taken with 2 in favour, 12 against and 0 abstentions.**

**Cllr Galliford's proposal to fund the full amount of £21,360 was carried with 9 in favour and 5 against. It was further agreed that the grant would be paid on the condition that CLAG become a constituted group and open their own bank account to receive the funds.**

Following the decision to award £21,360.00, Members discussed how this would be funded.

**Cllr White proposed and Cllr Jennings-Evans seconded funding £15,000 from the Bagshot Village reserves and the remaining £6,360 from the General reserve. A vote was taken with 7 in favour, 7 against and 0 abstentions. The Chair had the casting vote and voted in favour of the proposal.**

**Cllr Manley proposed and Cllr Barnett seconded funding £5,000 from the Bagshot Village reserves and the remaining £16,360 from the General reserve. A vote was taken with 6 in favour, 8 against and 0 abstentions.**

**Cllr Harris proposed and Cllr Malcaus Cooper seconded funding £10,180 from the Bagshot Village reserves and the remaining £10,180 from the General reserve. A vote was taken with 7 in favour, 7 against and 0 abstentions. The Chair had the casting vote and voted against the proposal.**

**Cllr Whites proposal to fund £15,000 from the Bagshot Village reserves and the remaining £16,360 from the General reserve was carried with 8 in favour and 7 against.**

**Finally, Cllr Malcaus Cooper proposed, and Cllr Harris seconded that in the interest of treating all three villages fairly, both Windlesham and Lightwater village reserves should be credited with £6,360 to match the amount awarded to CLAG from the General reserves. A vote was taken, and the proposal was carried with 9 in favour and 5 against.**

***There being no further business the meeting closed at 19:40***

