

Meopham Parish Council

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Minutes of a extra-ordinary meeting of the Full Council held on Tuesday 17th February 2023 at 7:00pm at Meopham Village Hall

Members Present:

Cllr D Bramer
Cllr M Bramer
Cllr S Buchanan – Chairman
Cllr G Green – Vice-Chairman
Cllr J McTavish
Cllr M Moss
Cllr J Ogden DL
Cllr C Price
Cllr D Sims
Cllr B Wade

In Attendance:

S Fishenden – Clerk and Responsible Financial Officer
C Collings – Assistant Clerk
M Wanmer – Trustee of Meopham Windmill Trust
S Price – Trustee of Meopham Windmill Trust

Item 1: Apologies for Absence: To receive and accept apologies

F.C. 344 Apologies were received and accepted from Cllr S Gofton (prior commitment) and Cllr A Rose (prior commitment)

Item 2: Declarations of Members' Interests: To receive declarations of pecuniary and non-pecuniary interests

F.C. 345 Cllr M Bramer and Cllr Green declared a non-pecuniary interest in any matters relating to Meopham Windmill Trust as trustees of the Windmill Trust.

Item 3: Meopham Windmill Trust

3.1 Legal Advice Received: To receive and accept the legal advice received from Francesca Quint of Radcliffe Chambers

F.C. 346 The Council accepted Cllr M Bramer's and Cllr Green's resignation as trustees forthwith. The Council agreed to appoint them both as trustees for a new four-year term, on them undertaking not to remain as council-nominated trustees beyond 31 August 2023, unless the Council requests them to do so.

Cllr M Bramer and Cllr Green also undertook to resign as council-nominated trustees at the appointment of new Parish Council nominees following the selection process mentioned below.

PROPOSED: Cllr Price. SECONDED: Cllr Ogden. Eight votes in favour, two abstentions. The motion was carried.

F.C. 347 The Council then agreed to receive and accept the legal advice in relation to the appropriateness of the Council nominating trustees; the inability of Parish Councillors who were also Trustees to take part in any Trust

business relating to the Parish Council and the advice regarding the Trust Deed.

In the light of the aforementioned resignations and reappointments the Council did not have to form a view on that part of Counsel's advice relating to Cllr M Bramer's term of office.

PROPOSED: Cllr Green. SECONDED: Cllr Ogden. All in favour.

3.2 Cllr M Bramer's Trusteeship - Term of Office: If the legal advice is accepted, to note that Cllr M Bramer ceased to be a trustee on 22 May 2022 and that any decisions taken by the Trust after that date cannot be valid if Cllr Bramer took part in them unless retrospectively authorised by the three remaining Trustees

F.C. 348 This item was removed from the agenda as a result of the decision agreed in F.C. 346

3.3 Cllr Green's Trusteeship: To consider requesting Cllr Green retracts his resignation as a Trustee of Meopham Windmill Trust for a temporary period until two new trustees are appointed by the Council. His only purpose would be to ensure the Trust remained quorate to deal with any emergency matters if they arise

F.C. 349 This item was removed from the agenda as a result of the decision agreed in F.C. 346

3.4 Disclosure of Legal Advice to MWT: To authorise the Clerk, in consultation with the Chairman of the Parish Council, to disclose the legal advice received to remaining trustees; Mr M Wanmer and Ms S Price

F.C. 350 It was agreed to disclose the parts of the legal advice that had been accepted by Council, to the remaining trustees of the Windmill Trust.

PROPOSED: Cllr Price. SECONDED: Cllr Ogden. Eight votes in favour, two abstentions due to declared interest. The motion was carried.

3.5 Disclosure of Legal Advice to KCC: To authorise the Clerk, in consultation with the Chairman of the Parish Council, to arrange a meeting with Cllr B Sweetland and appropriate KCC officers to share the content of the legal advice and discuss options for the future (MWT Trustees will be invited as observers)

F.C. 351 It was agreed to disclose the parts of the legal advice that had been accepted by Council, to Kent County Council. It was also agreed to convene a meeting between the Parish Council and Kent County Council to exchange views on the future of the site. The Windmill trustees would be invited as observers to this meeting.

PROPOSED: Cllr Green. SECONDED: Cllr McTavish. Eight votes, in favour, one against and one abstention. The motion was carried.

3.6 Recruiting New Trustees: To authorise the Clerk to advertise for two trustees to be nominated to Meopham Windmill Trust to replace Cllr M Bramer and Cllr Green. The selection process

**will be completed by the Council's Personnel Committee
subject to the ratification of Full Council**

- F.C. 352** It was agreed to authorise the Clerk to advertise for two trustees to be nominated to Meopham Windmill Trust to replace Cllr M Bramer and Cllr Green. The advert would also incorporate the need for a third trustee, to be co-opted by the existing trustees.

PROPOSED: Cllr Green. SECONDED: Cllr Price. All in favour.

Item 4: Parish Council Office

- 4.1 Meopham Windmill – Current Office: To note given the current situation with MWT, it is impossible for the Parish Council to remain in occupation of the Windmill as a new licence agreement cannot be agreed.**

- F.C. 353** This was noted.

- 4.2 Temporary Parish Council Office: To authorise the Clerk, in consultation with the Parish Office Working Group, to negotiate the use of the upper room at St John's Centre for use as a parish council office on a short-term basis under a licence agreement. The Parish Council is asked to set the terms under which the Clerk can negotiate**

- F.C. 354** The discussions Cllr Price, Cllr Buchanan and the Clerk had with St Johns Centre were reported. The proposed terms of the agreement were:

- A licence fee of £5839 per annum, this is a fully service charge and therefore inclusive of utility and cleaning costs
- The licence agreement being for two years
- Use of the John Hidden Room (upstairs) between 8am-3pm from Monday to Friday
- Use of Room 1 in the evenings on every third Tuesday of the month

- F.C. 355** It was agreed to authorise a licence agreement with St Johns Centre on the terms set out above until we can have a fit for purpose building, preferably at the Windmill or another location if necessary. We will not ask the Windmill Trust to produce a further draft licence.

PROPOSED: Cllr Price. SECONDED: Cllr Moss.

Four votes in favour, three votes against and three abstentions. The motion was carried.

- 4.3 Container Site: To ratify the view of the Parish Office Working Group that the Parish Council has a tenancy (not a licence) of that part of the ground on which the container sits as it has had and can only have had exclusive use of that part of the site**

- F.C. 356** It was agreed to ratify the view of the Parish Office Working Group that the Parish Council has a tenancy of the container site given it has exclusive use of the site the container sits on and is the only organisation to have access to that part of the site.

PROPOSED: Cllr Price. SECONDED: Cllr Buchanan.

Six votes in favour, four abstentions. The motion was carried.

4.4 Meopham Windmill: Future Return to Site: To authorise the Clerk to write to the Meopham Windmill Trust formally notifying them the Council is seeking a long lease of part, or all, of the grounds of the mill with permission in the lease to erect a building thereon which can double as a Parish Office and a Visitors Centre

F.C. 357

It was agreed to authorise the Clerk to write to the Meopham Windmill Trust formally notifying them the Council is seeking a long lease of part, or all, of the grounds of the mill with permission in the lease to erect a building thereon which can double as a Parish Office and a Visitors Centre.

PROPOSED: Cllr Price. SECONDED: Cllr Ogden.

Six votes in favour, two against and two abstentions. The motion was carried.

The meeting closed at 8:38pm