

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF OVERVIEW SELECT COMMITTEE ON TUESDAY 6 OCTOBER 2020.

SUBJECT: Proposed Correction of OSC minutes from 10 March 2020

REPORT AUTHOR: Jackie Follis
DATE: 14 September 2020/5 December 2019
EXTN: 37580

EXECUTIVE SUMMARY:

This report sets out the proposed correction to minute 512 of the Overview Select Committee Meeting held on 10 March 2020. The correction is being proposed by Councillor Huntley and is set out in this paper for members to consider. A correction to the minutes can only be made in retrospect by a resolution agreed at Full Council

1. BACKGROUND:

- 1.1 Following the OSC meeting 10 March 2020 Cllr Huntley raised a concern with the Chairman that the minutes of this meeting were not correct and that his concern was based on Health and Safety grounds
- 1.2 The recording of the meeting on 9 June 2020 at which the minutes were due to be approved shows that Cllr Huntley did raise his concerns about this but brought it up as a 'matter arising' during the vote, rather than when members were invited to comment on the minutes prior to the vote. Whilst there was not a lot of time given to this section of the meeting it is also worth noting that the draft minutes of the meeting were available on the website from 27 March 2020 prior to the meeting held on 9 June and that the formal agenda was published at the normal time in advance of the meeting.
- 1.3 The advice from Acting Monitoring Officer was that once approved minutes can only be changed if the impact of those minutes will open the Council up to a legal challenge or affect the Council's reputation negatively. This would normally only be allowed if a decision was inaccurate and had the potential for these consequences. In this case it should also be noted that there was no decision. The Acting Monitoring Officer confirmed that the only way the minutes could be corrected, in exceptional circumstances, is by a resolution to Full Council. The Chief Executive supported this view.
- 1.4 It is also worth noting that the Constitution at Part 5, Section 3, para 6.1 states:
- 1.5 *"The Chairman will sign the minutes of the proceedings at the next meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the Minutes that can be discussed is their accuracy."*
- 1.6 An informal suggestion was made to Cllr Huntley that an informal briefing, giving the background and more detail to members of OSC might be appropriate, especially as Cllr Huntley was keen that members were made aware of more technical background on this,

however Cllr Huntley has confirmed that he wishes to 'correct' minute 512 from OSC on 10 March 2020. The detail of this is set out in Section 2 of this report.

2. PROPOSAL(S):

- 2.1 That the extract from minute 512 from the OSC meeting held on 10 March 2020 is changed as set out below.
- 2.2 Proposed change to Minute 512 (additions in bold, deletions in ~~striketrough~~)
- 2.3 Were glyphosate (**Glycine Phosphonate**) based weed killers used with **a high level of active glyphosate ingredient** ~~live phosphates~~ and did they have any plans to cut back or stop or find natural weed killer. It was explained that this work was in its infancy stage. Trials were taking place in terms of what could be used for killing moss – what had to be considered was that reduced phosphates would mean a lesser standard of weed killer. It was outlined that the Council was part of an Amenity Forum looking at advancing weed eradication methodology. There was a need to have chemical weed killers to combat weeds such as Japanese Knotweed. Studies were also in place looking at the knock-on effect of reducing the use of high chemical weed killing versus the machinery used for weed strimming which were classed as a pollutant.

3. OPTIONS:

That the Committee recommend to Full council either that:

The minutes from the Overview Select Committee Meeting of 10 March 2020 be approved with no change;

or,

The minutes from the Overview Select Committee Meeting of 10 March 2020 be changed and approved as set out in the proposal.

4. CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		√
Relevant District Ward Councillors		√
Other groups/persons (please specify)		√
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES:	YES	NO
Financial		√
Legal		√

Human Rights/Equality Impact Assessment		√
Community Safety including Section 17 of Crime & Disorder Act		√
Sustainability		√
Asset Management/Property/Land		√
Technology		√
Other (please explain)		√
6. IMPLICATIONS:		

7. REASON FOR THE DECISION:

Proposal from a councillor that the minutes from the OSC meeting held on 10 March 2020 are not correct

8. BACKGROUND PAPERS:

None