

Corrections:

Minutes

Councillor Jarman interrupted with a Point of Order(1) "The committee will be aware that the IWCouncil had received representations and solicitors letters giving notice of impending legal action, including Judicial Review, involving the minutes and matters of the last meeting of this Committee. The existence of at least one of those letters has been confirmed in emails to external parties by the IWCouncil's legal staff. A copy of the said letter has been shared and widely reported in the media, following multiple commentaries from, at the last count 35 comments and actually hundreds of votes from IW residents. The matter has also attracted very public commentary from members of this committee, including challenging, perhaps defamatory remarks about other committee members, and attributed quotations from committee members have appeared on OnTheWight and County Press. It is clear that legal process is underway, that being an item under PoO, and any effective Finding of Fact by discussing or voting on the minutes would be, I believe, reckless and potentially undermine the work of this Committee, its members and the IWCouncil. At the very least, it would likely protract the legal process, generate unnecessary and distracting discourse and incur costs. Given the matter is now sub justice and legal representations have been made, it would clearly be inappropriate and potentially dangerous to go behind that legal process and I therefore propose BY MOTION that we defer consideration of the minutes and matters therein until the conclusion of those judicial proceedings."

The Chairman took advice and then asked if there was a seconder to the Motion. The Motion was duly seconded by Cllr Drew. The legal officer attempted to start to give his advice.

Cllr Brodie interrupted consideration of Cllr Jarman's PoO(1) by raising a second Point of Order(2) "It's sad that we're going to have to go down this road but I do not believe that under a PoO a Motion can be made regarding a different item on the agenda. I would seek Mr Gard's view on that. This is not a PoO, this is an attempt to move a Motion regarding item 1 on the agenda this afternoon and therefore I would ask that this is ruled Out of Order. Thank You."

<add in the original para 2 from the draft minutes>

Cllr Brodie interrupted with another Point of Order(3) "You (Chairman) have indicated indicated in writing today, previous to today, to me and to the MO that you will take no part in consideration of the minutes of the previous planning committee, that you would excuse yourself from the meeting, therefore I challenge your right to be able to make any decision regarding PoO(1) from Cllr Jarman at this meeting and therefore request that you leave the room and allow me to take over as the vice chairman of the planning committee. Thank You."

<add in existing para 4>

Cllr Drew interrupted with Point of Order(4) "In relation to the PoO(1) that Cllr Jarman raised and Ben replied to, I think to my mind this isn't an issue about whether there is a JP, whether there are legal proceedings. It's a question about the appearance of this committee and our responsibility under the Planning Committee constitution to ensure that bias not only doesn't take place per say but isn't an appearance of bias and I think

we have seen in the course of three publications of different minutes, of questions where the Chief Executive, where the legal officer, where the MO, have been taking legal advice, that there is certainly a question that is being raised in relation to what happened - in those minutes and the issue of acquiescence and assent. I think on that basis it should be determined, and I would appreciate Mr Gard is looking at it potentially from a perspective of a JR, but I think it's the wider issue, it's a much broader question. Are we as a committee in our duty to the public and the way that is perceived given everything that has happened - I mean today I've seen a slew of emails going back and forth - I don't necessarily know whether I agree with some of the points made, but the issue which is substantive is - is there a question about this, in terms of maybe a determination from the legal officer, from the Chief Executive, from however the Vice Chair is whether it's Cllr Brodie or others, and for that reason I think we should perhaps pause, perhaps maybe Mr Gard would look at it from that wider view?"

The legal officer paused to consider.

<add in existing para 5>

Cllr Adams noted that he could see nothing in the Constitution as to why Cllr Lilley could not continue to chair the meeting and asked to be shown proof that Cllr Lilley should be excluded. He further noted that "we have two different versions of the Constitution flying about".

<add in existing paragraphs 6 and 7>

Cllr Adams noted that the departure of Cllr Lilley was an example of the problems of the last Planning Committee meeting and that Cllr Lilley had done the right thing in every circumstance. He further noted that the committee was about to put into the chair the person that had caused all the friction and that he would be given the casting vote. Cllr Adams noted his very serious concerns.

Cllr Brodie as Vice Chairman took the Chair. He asked for Cllr Adams to withdraw remarks that he had made regarding the conduct of the last meeting and asked Cllr Adams to leave the meeting. Cllr Adams refused stating that he was entitled to remain. The Vice Chairman stated he was adjourning the meeting until Cllr Adam left.

The Vice Chairman reconvened the meeting and noted he found Cllr Adams remarks to be untrue, false and insulting - "just because he didn't get his own way, like a child". Cllr Adams attempted to speak but was told by the Vice Chairman "will you shut up".

<add in para 9>

The Vice Chairman turned to the PoO(1) and Motion by Cllr Jarman.

<add in para 10 and 14>

Cllr Jarman clarified the point of law embodied within his PoO(1) and reiterated his concerns regarding dismissing the impending legal action. He also noted that a PoO but be dealt with by the Chair first and before the committee moves on. He sought clarification from the Chair if he would now put the Motion (from PoO(1)), duly

seconded, to the vote. The Vice Chairman stated he believed Cllr Jarman exaggerated the position of 22nd July and he rejected the proposal to put the duly seconded Motion to the vote..

Cllr Jarman replied that he considered the meeting to be Out of Order and the matter to be subject to legal review and process. He declared the meeting Out of Order and declined to continue. Cllr Adams likewise declined to continue. Both Cllr Jarman and Cllr Adams left the meeting.

<continue with para 19 etc..
end.