**Cyngor Cymuned Amroth Community Council**

**Final Draft of the Public meeting Minutes on Thursday 14th September 2023**

**To discuss and resolve the resolution that states**

**‘This meeting of residents of Amroth and Crunwere ward areas confirms the decision of the Trustees of Amroth memorial Hall to discontinue the use of the land known as Amroth memorial gardens for the object of the Charity and sell the land thereof, moneys raised to be used for the benefit of all residents of the area’.**

Councillor present; T Baron, A Cormack, A Evans, F Evans, M Harvey, R Lake, S Phillips, R Tippett Maudsley, E Wyn Morgan. Plus members of the public

Councillor Apologies. M Morris, J James, R Harries,

**Opening remarks by Chairman**

Cllr Baron opened the meeting by welcoming everyone and explained that the meeting had been called in order to ascertain residents’ views on the proposed sale of the piece of land known as the Memorial Garden in Amroth.

He set out the agenda and invited questions later in the meeting.

Cllr Stephen Phillips explained the background to the formation of the garden and the events leading up to the sale.

**Q&A & Discussion**

Prior to taking questions from the floor Cllr Cormack answered some written questions from a Resident.

1. Are all community councillors fully aware of detail and equally involved in this land transaction? YES

2. If all are not equally involved, who is leading this on Behalf of the community council?

All are equally involved.

3. Are all community councillors still in position, have any resigned, under investigation, or are any pending leaving the community council?

YES, all are still in position, but one has given notice that they will be standing down once the situation with the Garden has been finalised.

4. Do all councillors live within the prescribed maximum distance of Amroth? Can this be confirmed by postcode?

To be a community councillor there are statuary requirements which have been met by all councillors, Resident. Hold land, Work, or live within 5km (3 miles) of ward boundary.

5. Why was the land not put up for auction to maximise its value?

Land was advertised extensively at an asking price in excess of the independent valuation.

6. Why were restrictive covenants introduced given they significantly restrict and reduce the value of this land?

They are necessary to preserve the environment of the village, and so ACC could enforce them. ACC were concerned that the land would be used for commercial activity which is considered not fair or acceptable to ACC.

Cllr. Tony Baron- ACC are looking for land elsewhere in the ward to provide recreational facilities. Proposal to sell came from a number of council members and confirmed at a regular council meeting.

**Q. from a Resident**

1. He started by correcting Cllr Cormack – the land is not an asset of Council it belongs to the Charity Commission.

2. He clarified that Councillors are elected and accountable to residents

3. 1995 Trustee Mrs Hayward wrote to Amroth Community Council and asked them to take on the position of trustee.

4. Cllr Baron read out part of the charity scheme including the objects relating to Sale.

5. Cllr Baron was asked to repeat that Charity objectives from the scheme which was to provide gardens until a hall was required.

6. Rules of the trusteeship -ACC members are all responsible for the decision.

7. The Resident stated that Councillors must act in accordance with the Charity interest and preserve the land as public gardens. He believed that Councillors were not fulfilling the trusteeship by protecting the principal objectives of the charity.

He pointed out that the Council were considering applying to Enhancing Pembrokeshire Fund in March 2020 to enhance the land and read out an excerpt from the Minutes in February 2021 where former Cllr. Pauline Davies queried the next steps for the Memorial Garden in Amroth following a site meeting earlier in the month. Cllr Phillips stated that the trustees must hold a meeting and pass a resolution that the land is no longer required as a Memorial Garden.

The stated that no consultation took place with residents at this time. He believes that there is a conflict of interest in Community Councillors being trustees.

Cllr Baron read out the sale item in the Charity Scheme again. He went on to say that the land produces no income but is maintained by the Community Council using precept money from raised from the rates. He questioned if the land offers the best amenity to the residents of Amroth.

A Resident stated that weekly rubbish bins are left on the front of garden for collection as this was where PCC instructed them to put them. Street Cleaners collect rubbish ad hoc. Main sea front is cleaned more regularly than the area by the garden.

A Resident stated that the role of the charity is to protect the objectives for the residents and to look after the conditions of life for the residents and the environment. He queried as to who has been approached to look after the land and felt that due diligence had not been carried out. Have businesses been approached to support the land? Did ACC approach residents known to the Council to maintain the land.

If people came forward to look at maintaining the land would this affect the council's decision? Would a proposal be considered? He asked about the cost of maintaining the land – ACC do not have current maintenance costs.

He went on to say that the land is in rack and ruin and need to look at costs of maintaining it. As trustees with a duty to residents it seems that due diligence has not been carried out. He expressed concern that this has not been thoughtfully considered.

A counter proposal cannot be given at this time as the meeting is being held to consider the stated resolution. The Resident would like to see the memorial garden maintained. County Councillor Alec Cormack stated that if this meeting tonight decided not to sell the garden, then a counter proposal can be laid.

The prospective purchaser – declared an interest as a prospective purchaser of the land. He stated that in the Charity Commission Document it lists that the Trustees are the Community Council. It was a waste ground for 2 years after 1994 and was then maintained by his family from 1995 who paid gardeners to maintain it twice yearly since. He questioned who the land is for? Residents and holiday makers. As a qualified auditor, he saw no conflict of interest between the Community Council and the Trusteeship.

A Resident – No one has said anything about the lack of chairs in the garden because people do not complain. She suffers from poor mobility and cannot access the notice boards on the front to see public notices. She asked what will happen to money raised from a sale? -The money will be used to further the object of the charity – to benefit and provide recreation for residents. She suggested enhancing the land that is there.

Cllr Baron spoke and said that the sale would allow the purchase of larger piece of land elsewhere in the community. The Community Council will apply for grants to provide recreational facilities on the land and help maintain it for generations. ACC have carried out several projects locally to be utilised by residents.

Quiet contemplation is valuable but would like to use the resource to improve facilities for all ACC residents.

A meeting member asked if there was a site in mind. Cllr Phillips stated that there was no firm plan in place at this time, but it would be further away from the coast, for the benefit of all residents of the community.

A Resident asked if it would it not have been a better idea to have a meeting at the start? This would have addressed issues going forward.

Cllr Phillips stated that all council meetings are public. The sale was listed on the agenda and in public notices on social media, Notice Boards, Newsletter and local paper, but this was not picked up by many residents. The plan is to purchase land away from Amroth front for the benefit of all electors.

A Resident suggested that if benches were there in the garden, more people would use it.

A Resident stated that the greatest footfall is in Amroth itself, so the garden offers the greatest benefit to the public.

It is blinkered view that all visitors are holiday makers – may are previous residents or have a hold to Amroth. The benefit for the community may out way the costs of maintenance.

Cllr Alec Cormack stated that the sale has not gone beyond the point of no return. ACC have tried to communicate the sale via a variety of channels and any vote tonight will decide the future. If sale does not go ahead, we can hold another meeting to decide how to improve the memorial garden.

He asked if anyone else wished to raise a point?

The Prospective Purchasers Family stated that they would be delighted to see the land used as a garden and if the community got together and did something positive for the garden. It cannot be used for anything else as the restrictive covenants are in stone and can be enforced.

Cllr Rosemary Tippet Maudsley stated that the idea behind the sale is to raise money for the benefit of the community. The money raised can be used to pay or part pay for other community projects. She agreed if the garden were to be sold it would become a private garden with no access to the public.

A resident asked how much the land was being sold for. Cllr Baron stated that this information is commercially confidential but was well over the asking price. The resident felt this was not transparent.

A resident asked for the definition of permanent residents as stated in the notice of the meeting. They felt that many people did not attend because they felt they were not permanent residents.

**In conclusion – The meeting was closed with no vote being taken. The Community council will seek guidance from the Charity Commission on the definition of ‘inhabitant’ used in the trust scheme.**