

## RETTENDON PARISH COUNCIL

Minutes of the extra ordinary meeting of the Council held on Monday 11<sup>th</sup> February 2019  
at the Battlesbridge Free Church Hall, 10 Maltings Rd, Battlesbridge, Wickford.

**Present:** Cllr Mark Fleming (Chairman)  
Cllr Denise Fleming  
Cllr Roy Hart  
Cllr Glenys Jones  
Cllr Lance Millane  
Cllr Ray Ride

### The Clerk

There were 6 members of the public present.

Cllr Cheater attended the meeting but sat in the public gallery and took no part in any discussion or vote.

### **179-18/19 To receive Apologies and to approve Reasons for Absence**

No apologies were received.

### **180-18/19 Declarations of Interest on Items on the Agenda**

Cllr Hart declared a non-pecuniary interest in Items 182-18/19 and 183-18/19.

### **181-18/19 Public Forum – strictly 5 minutes only per speaker**

A resident asked for clarification on matters relating to the Bell Fields dispute. He asked when the witness statement had been signed by the Chairman.

The Chairman said the statement had been signed at the end of December.

The resident asked why the Council was pursuing mediation if litigation was planned.

The Chairman said the Charity Commission had recommended mediation but there had been a very small window for applying to the High Court and so this avenue had also been followed.

The resident asked if individual Councillors would give up their claims to be trustees following the May elections.

The Chairman said both the Charity Commission and the barrister consulted on the matter were of the opinion that the Parish Council as a body was the sole trustee, not individual Councillors.

Signed \_\_\_\_\_  
Councillor M. Fleming, Chairman

The resident asked why individual Councillors were named in the witness statement.

The Chairman said if the resident put his questions in writing he would respond.

The resident said it would help if the Council would back the people running the field. He asked about the procedure of mediation.

The Chairman said either mediation would be successful or the High Court action would proceed.

Cllr Hart asked who had given the Chairman permission to name Cllr Cheater and himself as witnesses.

He asked how the 86-page claim was proceeding.

He said 140 residents had attended an event to raise funds for the Bell Fields pavilion.

He said the pitches had recently been played on by the football club, when all other available pitches had been waterlogged.

**182-18/19**

**To agree a list of three potential mediators who could mediate in the dispute over trusteeship of the Bell Fields Charities.**

The Chairman reminded the Council that at the last meeting the decision had been taken to fund mediation. He said the Clerk had circulated details of mediators, and also a facilitator suggested by the purported trustees.

Cllr Ride said all the mediators seemed capable of dealing with this issue and all were experienced.

An amendment to the proposal was proposed as follows:

**To agree a list of five potential mediators who could mediate in the dispute over trusteeship of the Bell Fields Charities.**

It was **agreed** to amend the proposal as suggested.

Proposed: Cllr M Fleming      Seconded: Cllr Ride      (5 For; 1 Against)

A list of five potential mediators who could mediate in the dispute over trusteeship of the Bell Fields Charities was agreed comprising the five circulated by the Clerk prior to the meeting (Tony Fisher, Fiona Colquhoun, Stephen Fielding, Carolyn Graham and Gillan Caroe).

Proposed: Cllr M Fleming      Seconded: Cllr Ride      (5 For; 1 Against)

**183-18/19** If the above is agreed, to agree to write to the purported trustees of the Bell Fields Charities offering the three names as suggested mediators in the dispute over trusteeship of the Bell Fields Charities.

An amendment to the motion was proposed as follows:

**If the above is agreed, to agree to write to the purported trustees of the Bell Fields Charities offering the five names as suggested mediators in the dispute over trusteeship of the Bell Fields Charities.**

It was **agreed** to amend the motion as suggested above.

Proposed: Cllr M Fleming      Seconded: Cllr Ride      (5 For; 1 Against)

It was **agreed** to write to the purported trustees of the Bell Fields Charities offering the five names as suggested mediators in the dispute over trusteeship of the Bell Fields Charities.

Proposed: Cllr M Fleming      Seconded: Cllr Ride (5 For; 1 Against)

**184-18/19**      **Date of the next Parish Council Meeting - Tuesday 26<sup>th</sup> February 2019, 7.30pm at the Rettendon Memorial Hall, Main Road, Rettendon. CM3 8DP**

The meeting closed at 7.56pm.

Signed \_\_\_\_\_  
Councillor M. Fleming, Chairman