

## **RETTENDON PARISH COUNCIL**

**Minutes of the meeting of the Council held remotely on Tuesday 28<sup>th</sup> April 2020.**

**Councillors attended the meeting through digital link.**

**Present:** Cllr Mark Fleming (Chairman)  
Cllr Hazel Dale Evans  
Cllr Denise Fleming  
Cllr Roy Hart  
Cllr James Knight  
Cllr David Phillips  
Cllr Ray Ride  
Cllr Barbara Wright

### **The Clerk**

5 members of the public accessed the meeting through a digital link which had been circulated with the agenda. The meeting was also streamed live on Facebook.

### **201-19/20 To Receive Apologies and to approve Reasons for Absence**

Apologies had been received from Cllr Cottee and it was agreed unanimously to approve her reason for absence.

The Chairman reminded councillors and members of the public that the extra ordinary meeting due to be held on Thursday 19<sup>th</sup> March had not proceeded as planned, due to the closure of the Village Hall earlier that same day.

He said that after seeking advice, the Clerk had advised that the scheduled meeting for 28<sup>th</sup> April 2020 should be cancelled.

The agenda from the extra ordinary meeting due to be held on 19<sup>th</sup> March 2020 had been carried over as far as possible to this meeting so that the Items include could be resolved. He said as few changes as possible to that agenda had been made, complying with advice received from EALC.

### **202-19/20 Declarations of Interest on Items on the Agenda**

There were no Declarations of Interest.

### **203-19/20 Public Forum – strictly 5 minutes only per speaker**

There were no comments from members of the public.

### **204-19/20 To agree the minutes of the meeting of the Council held on 25<sup>th</sup> February 2020**

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

The minutes of the meeting of the Council held on 25<sup>th</sup> February 2020 were agreed as a true record.

It was agreed that the minutes would be signed by the Chairman at the next meeting of the Council to be held in person.

**205-19/20 To note the position regarding the meeting of the Council due to be held on Thursday 19<sup>th</sup> March 2020**

The Chairman referred to the meeting of the Council due to be held on Thursday 19<sup>th</sup> March 2020.

He said the closure of the Village Hall due to Covid-19 had been advised on the morning of 19<sup>th</sup> March 2020. He said it would not have been either practical or in the circumstances sensible to find an alternative venue.

He said the agenda for the current meeting would follow the agenda from 19<sup>th</sup> March 2020 as closely as possible, allowing items to be resolved and discussed.

Cllr Hart questioned the outstanding invoices due to Tees and asked if answers had been received to the queries raised at a previous meeting.

Cllr Knight said answers had been received and Tees had not accepted the Parish Council's stance. He said the Council was contracted to pay the invoices and changing solicitors now would be more problematic.

**206-19/20 Finance**

To agree to authorise invoices for payment, details circulated prior to the meeting.

Invoices were authorised for payment as listed below with the exception of the two starred payments to Tees. (5 For; 3 Against)

<b>Payee</b>	<b>Reason for Payment</b>	<b>Amount</b>
Staff costs	March	£691.32
Staff costs	April	£659.82
Staff costs	May	£659.82
HMRC	PAYE Q4 2019/20	£224.91
Tees	Legal costs	£1214.40
Information Commissioner	Subscription	£40.00
Tees	Legal costs	£2961.60
Tees	Trial fee	£1090.00
Tees	Legal costs	£390.00*
Tees	Legal costs	£720.00*

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

Cllr M Fleming	Expenses – hall hire	£90.00
S-Type Security	Security Patrols	£280.00
S-Type Security	Security Patrols	£385.00
Skippers Ground Maintenance	Feb/Mar 2020	£700.00
Barclays Bank	Commission charge March/April	£4.00
EALC	EALC/NALC subscription	£494.53
	<b>Total</b>	<b>£10,605.40</b>

Cllr Hart asked for it to be minuted that he had voted against this motion.

**207-19/20 To receive an update on the outcome of the mediation session regarding the Bell Fields dispute held on 28<sup>th</sup> February 2020**

The Chairman said the second mediation session had taken place in February 2020. Councillors Cottee, M Fleming and Phillips had attended as participants and Councillors Dale-Evans and Wright as observers.

He said both sides had signed the confidentiality agreement.

He said no agreement had been reached and the other party had had no legally-informed position.

He said the 400 page witness statement had been received by the Parish Council, and that the other party had written to the Charity Commission and provided a copy of the letter.

He said the other party had proposed that the Council write to the Charity Commission as well, and that the court case could be postponed while a response was awaited.

The Council's legal advisors had said it was not in the Council's gift to postpone the hearing, that an application would have to be made to court, and that there would be a cost implication.

It was confirmed that the Clerk had signed the initial contract with Tees on the authority of the Council.

**208-19/20 To discuss and agree the date for the 2020 Annual Parish Meeting.**

The Chairman said this Item had been due for consideration at the meeting due to be held on 19<sup>th</sup> March 2020.

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

The Clerk said new legislation disapplied the requirement for an Annual Parish Meeting to be held. She said it would not be possible to postpone the meeting, as it had to be held within a defined timeframe.

The Parish Council noted the position and the motion was withdrawn.

**209-19/20 To agree to defer the appointment of two trustees to the Richard Cannon charity to the Annual Meeting of the Council due to be held on Tuesday 26<sup>th</sup> May 2020.**

The Chairman said this item had been due to be considered on 19<sup>th</sup> March 2020.

The Clerk confirmed that the procedure for appointment of the trustees had been agreed by the Council.

The Clerk said she would begin the procedure and contact all nominees.

The motion was withdrawn.

**210-19/20 To discuss the current position regarding the safeguarding of public health due to COVID-19 and to agree any action necessary.**

The current position regarding the safeguarding of public health due to COVID-19 was discussed.

Cllr Dale-Evans asked if information could be put on the parish noticeboards.

Cllr Knight said individuals were taking action at a community level rather than at Parish Council level. He said he was putting information on the Council's Facebook page.

Cllr D Fleming said she had put information online and arranged for distribution of leaflets.

Cllr M Fleming referred to the updates from EALC. He asked the Clerk if anything else was required at the moment and the Clerk confirmed that all was in hand.

**211-19/20 Date of the next Parish Council Meeting: Tuesday 26<sup>th</sup> May 2020, 7.30pm at the Rettendon Memorial Hall, Main Road, Rettendon, CM3 8DP**

The Clerk referred to legislation passed since the last Parish Council meeting. She said the requirement for an Annual Meeting of the Council had been disapplied.

It was **agreed** that the meeting of the Council due to be held on Tuesday 26<sup>th</sup> May 2020 should be cancelled.

Cllr Wright's vote could not be recorded.

**212-19/20 To agree to hold a meeting of the Parish Council on Tuesday 30<sup>th</sup> June 2020 at 7.30pm, place to be advised.**

It was **agreed** that a meeting of the Parish Council would be held on Tuesday 30<sup>th</sup> June 2020 at 7.30pm, arrangements to be subject to guidance available for the holding of meetings at that time.

**213-19/20 Exclusion of the Press and Public**

**Having regard to the confidential nature of the business proposed to be transacted, to agree to exclude the Press and Public pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960.**

Having regard to the confidential nature of the business proposed to be transacted it was **agreed** to exclude the Press and Public pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960.

Cllr Wright's vote could not be recorded.

Cllr Hart left the meeting.

**214-19/20 To receive an update on advice from Tees following the 28<sup>th</sup> February mediation session.**

The Chairman gave an update on advice received from Tees following the 28<sup>th</sup> February 2020 mediation session.

He referred to the possibility of postponing the case and said it was not within the Council's gift to agree to this. He said an application would have to be made to the High Court and the estimated cost for this would be £3,000-£5,000 exclusive of VAT.

**215-19/20 To agree to continue with the High Court proceedings as scheduled in the absence of a mediated settlement or any material change in either party's legal position since the Charity Commission letter to the Parish Council received in December 2018.**

It was **agreed** to continue with the High Court proceedings as scheduled in the absence of a mediated settlement or any material change in either party's legal position since the Charity Commission letter to the Parish Council received in December 2018.

Cllrs Dale-Evans and Wright abstained.

**216-19/20 To agree the content of a letter from Rettendon Parish Council to the Charity Commission regarding the Bell Fields dispute.**

The Chairman referred to the draft letter he had circulated on 15<sup>th</sup> March 2020.

**It was agreed to suspend Standing Order 3(x) at this point for the duration of the meeting.**

It was **agreed unanimously** to accept the content of the draft letter circulated by the Chairman on 15<sup>th</sup> March 2020 subject to updating the total spent on legal fees by the Council and the date of the meeting at which the content had been agreed.

The Clerk said she would update the letter and send to the Charity Commission.

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