

RETTENDON PARISH COUNCIL

Minutes of the meeting of the Council held remotely on Tuesday 30th June 2020.

Councillors attended the meeting through digital link.

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

Seven members of the public attended through the digital link provided.

10-20/21 To Receive Apologies and to approve Reasons for Absence

There were no apologies to receive.

11-20/21 Declarations of Interest on Items on the Agenda

Cllr Hart referred to Item 30-20/21 and asked whether councillors who were nominees for appointment to the Richard Cannon charity should declare an interest.

The Chairman said it was his opinion that councillors were entitled to stand for appointment and also to vote for themselves, to avoid compromising the procedure and to ensure fairness to all candidates.

Cllr Hart said he would not be voting for himself during the vote to appoint trustees.

12-20/21 Public Forum

A resident referred to Item and said he was unclear about the defendants' case. He said the governing document seemed to confirm the Parish Council was the trustee, as did the Council's solicitor, barrister and the Charity Commission. He said the legal bill was in the region of £50,000 and asked Cllr Hart if he intended continuing with the case.

The Chairman asked Cllr Hart if he had anything to say as a Parish Councillor.

Cllr Hart said the managing trustees had been running the Bell Fields for a long time, that they had a good case and that they wanted to save the Bell Fields for future generations. He said he did not trust the present Council.

Signed _____
Councillor M. Fleming, Chairman

A resident referred to legal costs incurred during the Bell Fields dispute and asked if it was found there had been financial mismanagement if councillors or the Responsible Financial Officer would be liable.

The Chairman said it would depend on who was responsible and what the specific issue might be.

Cllr Wright referred to Item 27-20/21 and said she was trying to keep her roles as Councillor and compiler of the newsletter separate. She said there would be a cost for advertising in the newsletter.

A member of the public gave his name and identified himself as a local journalist.

Reverend Richard Jordan asked why the appointment of the trustees to the Richard Cannon Charity was taking place with Press and Public excluded from the meeting.

The Chairman said as the appointment involved members of the public and their personal information it had been decided it would be appropriate to consider this Item with press and public excluded.

13-20/21 To agree the minutes of the meeting held on Tuesday 28th April 2020 as a true record for signature by the Chairman at a later date

The minutes of the meeting held on Tuesday 28th April 2020 were agreed as a true record for signature by the Chairman at a later date.

Cllr Ride's vote could not be recorded.

14-20/21 To agree the minutes of the meeting held on Tuesday 2nd June 2020 as a true record for signature by the Chairman at a later date

The minutes of the meeting held on Tuesday 2nd June 2020 were agreed as a true record for signature by the Chairman at a later date.

Cllr Ride's vote could not be recorded.

15-20/21 To receive the Essex County Councillor and Ward Councillors' reports.

There were no reports to receive.

16-20/21 To receive a report from the Parish Council representative on the Village Hall Management Committee

Cllr Cottee said there had been no meeting since the beginning of lockdown. She said the pre-school had opened and was following Government guidance, and using the cricket field as much as possible.

Cllr Dale-Evans confirmed that safety equipment had been provided in the village hall.

Cllr M Fleming said changes to legislation meant that there was plenty of leeway before a meeting in the Village Hall might be necessary.

Signed _____
Councillor M. Fleming, Chairman

17-20/21 Finance To agree to authorise invoices for payment, receive copy Bank statements and details of expenditure to date.

Cllr Hart referred to payments to Tees and said legal costs in the Bell Fields dispute were equivalent to one year's precept.

Cllr Dale Evans queried the payment regarding grass-cutting around the Mayphil Park sign.

Cllr D Fleming said she had spoken to Rochford District Council who were unable to give a date when cutting would take place, although for safety reasons it was important the grass was maintained at a low level.

Cllr Dale Evans questioned the placement of the Mayphil Park sign.

Cllr D Fleming said Chelmsford City Council had placed the sign.

Cllr Hart said the division between Chelmsford and Rochford was in the middle of the bridge.

Cllr D Fleming said she did not wish to be reimbursed for this expense.

Cllr Phillips queried the payment to Anglian Water.

It was confirmed this payment was for the Bell Fields water supply.

Cllr Knight said further information had been provided on the Tees invoices. He said the last payment had been made on account subject to receipt of an appropriate invoice and included VAT.

It was proposed to agree to authorise invoices for payment as follows, excluding the payment to Cllr D Fleming:

Payee	Reason for Payment	Amount
Staff costs	June	£787.48
K Hobson	Making safe bus shelter	£48.00
Came & Company	Insurance Renewal	£1213.02
Came & Company	Admin Fee	£50.00
S-Type Security Ltd	Security Patrol – May	£455.00
Anglian Water Business	Water – Playing Field	£16.18
Stanley Tee LLP	Legal costs	£720.00
Stanley Tee LLP	Legal costs	£390.00
HMRC	PAYE-Q1	£214.20
Cllr D Fleming	Expenses – grass-cutting	£25.00
EDF Energy	Streetlighting	£706.54

Signed _____
Councillor M. Fleming, Chairman

Stanley Tee LLP	Legal Costs – Counsel’s Fee	£15,000.00
Total		£19,625.42

Cllrs D Fleming, M Fleming, Knight and Phillips voted For.

Cllr Wright abstained.

Cllrs Cottee and Hart voted Against.

Cllr Dale Evans voted Against the Tees payments.

Cllr Ride’s vote could not be recorded.

The motion was carried.

18-20/21 To agree the response to planning applications notified to the Parish Council as statutory consultee (Appendix A)

20/00862/FUL - Land South West Of 72 East Hanningfield Road Rettendon Chelmsford - Proposed new dwelling with solar panels.

It was **agreed** the Council had no objection to this application.

20/00002/MAS - Land North Of South Woodham Ferrers Burnham Road South Woodham Ferrers Chelmsford - Stage two masterplan

It was **agreed** that the Council would support this application subject to:

- the road traffic assessment including the Burnham Road up to the turnpike.
- any reduction in speed limit along the A132 would be welcomed in the interest of safety of cyclists and pedestrians but should apply to the road right up to the turnpike.
- Crossing facilities at the entry to Hayes Country Park and upgrading of the Woodham Road should be part of the improvements made.

Cllr Ride’s votes could not be recorded.

19-20/21 To agree that Rettendon Parish Council having met the criteria of having two-thirds elected members and a qualified Clerk adopts the General Power of Competence

This Item was deferred.

20-20/21 To review the effectiveness of the system of internal audit of the Parish Council

The Clerk referred to the document outlining the system of internal audit that she had circulated prior to the meeting.

It was agreed that no changes were required.

21-19/20 To agree to approve the Annual Governance Statement section of the Annual Return for year ended 31 March 2020

Signed _____
Councillor M. Fleming, Chairman

It was **agreed** to approve the Annual Governance Statement section of the Annual Return for year ended 31 March 2020.

Cllr Ride's vote could not be recorded.

22-19/20 To agree to approve the Accounting Statement section of the Annual Return for year ending 31 March 2020

It was agreed to approve the Accounting Statement section of the Annual Return for year ended 31 March 2020.

Cllr Ride's vote could not be recorded.

23-20/21 To receive an update on the High Court proceedings in the Bell Fields dispute.

The Chairman gave an update following the receipt of an email from the Council's solicitors.

He said the defendants had applied for an adjournment with a preference for a physical meeting.

He said he had asked for guidance on attendance for Councillors and members of the public and would circulate this when it was available. He said it was possible that he might be asked questions about the Witness Statement he had signed on behalf of the Council.

Cllr Knight said it was possible the hearing on the adjournment would not be heard before the date for the main hearing.

He said skeleton arguments should be exchanged 14 days prior to the hearing date.

The Chairman said the list of defendants had been altered and the Council's legal advisers were approaching the court about this.

Cllr Hart said the solicitor's bill would be huge. He said the letters from Tees had only arrived on the preceding day and he would be coming after the Parish Council for costs.

The Chairman said the issue could have been resolved earlier if the defendants had had legal representation.

Cllr Hart said the way Cllrs M Fleming, D Fleming and Ride had behaved was not acceptable.

Cllr Phillips said he had an objection. He said Cllr Hart had just spoken very aggressively towards the Chairman and he objected to the way Cllr Hart was talking to the Chairman of the Council.

Cllr Hart said he apologised if the Chairman was upset.

The Chairman said an apology should not be conditional.

Cllr Hart said he stuck by his guns.

The Chairman said he noted the qualified apology.

Signed _____
Councillor M. Fleming, Chairman

Cllr Hart said Tees had not acted appropriately. He said the Council had a duty of care while spending public money and this was a shameful waste.

The Chairman said this was because the defendants had not sought a legal opinion.

Cllr Cottee read from an email received from a resident regarding the Bell Fields dispute.

The Chairman noted the amount of research required to respond and said the Clerk would make every effort to reply before the next meeting.

A motion was moved to suspend Standing Order 3(x).

It was **agreed** to suspend Standing Order 3(x).

Cllr Ride's vote could not be recorded.

24-20/21 To agree to amend Standing Orders to allow for confidential voting during appointment of trustees to the Richard Cannon charity.

The suggested amendment had been circulated to Councillors prior to the meeting.

It was **agreed** to amend Standing Orders to allow for confidential voting during appointment of trustees to the Richard Cannon charity.

Cllr Ride's vote could not be recorded.

25-20/21 To consider the extent of coverage by S-Type Security Ltd and to confirm that the Parish Council is limited to responsibility for patrols on public property.

This Item was deferred.

26-20/21 To agree to compile a list of local tradespeople, that the Parish Council can use, as and when needed for jobs within the parish.

This Item was deferred.

27-20/21 To agree to advertise for local tradespeople who would like to be added to a list held by the clerk, on Facebook and in the newsletter.

This Item was deferred.

28-20/21 To agree a response to the Proposed Bradwell B Power Station - Stage One Public Consultation

A response was **agreed** to the Proposed Bradwell B Power Station – Stage One Public Consultation. The response had been circulated to Councillors prior to the meeting.

Cllr Hart voted Against.

Signed _____
Councillor M. Fleming, Chairman

Cllr Ride's vote could not be recorded.

29-20/21 Reports from Councillors on Council activities since the last meeting

There were no reports.

30-20/21 Date of the next Parish Council Meeting.

It was **agreed** that the next Council Meeting would take place online on Tuesday 28th July 2020.

Cllr Ride left the meeting.

31-20/21 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 Ride rejoined the meeting.

32-20/21 To appoint two trustees to the Richard Cannon charity (details circulated prior to the meeting)

It was **agreed** to appoint Mr Peter Wilby and Mr Thomas Sterry as trustees of the Richard Cannon charity.

The meeting closed at 10.31pm.

Signed _____
Councillor M. Fleming, Chairman