

RETTENDON PARISH COUNCIL

**Minutes of the meeting of the Council held remotely on Thursday 3rd December
2020.**

Councillors attended the meeting through digital link.

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

Chelmsford City Councillor Paul Clark also attended.

There were ten members of the public in attendance.

129-20/21 To Receive Apologies and to approve Reasons for Absence

There were no apologies to receive.

130-20/21 Declarations of Interest on Items on the Agenda

Cllr M Fleming declared a non-pecuniary interest in Items 132-20/21 and 133-20/21.

Cllr Ride declared a non-pecuniary interest in Items 132-20/21 and 133-20/21. He also declared a non-pecuniary interest in Item 134-20/21 as a Governor of Rettendon Primary School due to inclusion of a grant to the school being included in the proposed budget.

Cllr D Fleming declared a non-pecuniary interest in Items 132-20/21 and 133-20/21.

Cllr Wright declared a non-pecuniary interest in Item 134-20/21 as compiler of the Rettendon & Battlesbridge newsletter.

131-20/21 Public Forum – strictly 5 minutes only per speaker

Cllr Hart said he would like to read a position statement about the High Court case.

He said that the Council's main point was that they were the trustees of the charities and they had been judged to be wrong.

Signed _____
Councillor M. Fleming, Chairman

He said the Council had said he was not a trustee and they had been judged to be wrong in that also.

He said this was seen by the judge's words and lack of costs award.

He said the current trustees had been appointed at the Council meeting held on 25th July 2017 and the judge had said these included the first defendant.

He said he had based his defence on the advice given by Birkett Long. He said the judge had said the advice was wrong but that he, Cllr Hart, had acted reasonably in relying on it.

He said the Council had spent twice the annual precept on the case, without insurance.

He said at the Council meeting held on 24th November 2020 the Council had discussed having to manage the budget to fill this void.

He said the Council would be raiding their contingency fund.

He said the budget was due to be considered again on 22nd December 2020.

He referred to councillors who had pursued legal action and asked whether they had been negligent. He asked whether they had insurance to reimburse residents or whether it would come from their own pockets.

He said if councillors were not negligent then it was possible Tees were at fault in which case action should be taken and this should be considered on a future agenda.

He said if the Council chose to appeal he would hand his case to a QC which would incur costs recoverable from the Council. He said he was saying this to be on record, not as a threat.

He declared a non-pecuniary interest in Items 132-20/21 and 133-20/21.

The Chairman said for the record he did not agree with a number of the points made by Cllr Hart.

132-20/21 To discuss the land ownership of the Bell Fields (documents circulated prior to the meeting)

The Chairman referred to documents circulated prior to the Council meeting in November. He asked if any Councillors were aware of any further documents that were pertinent to this issue.

He said the current title deed mentioned the Rettendon Bell Fields Trust which was not a legal entity.

He said issues to consider were whether each charity should have a separate title deed and whether title to the land should remain with the Official Custodian or revert to the Parish Council.

The land ownership of the Bell Fields was discussed by the Council.

The Chairman said that over the next few months motions would be brought to Council to work towards a stable, long-term resolution of this issue.

133-20/21 To discuss and agree further instruction to Tees Law, as per options suggested in correspondence from Tees dated 23 November 2020 and circulated previously:

a) Seek to appeal the judgment itself

b) Seek to appeal costs.

c) Take no further actions in this respect.

Cllr Dale Evans requested a recorded vote.

It was proposed by Cllr Phillips to accept Option c) and seconded by Cllr Cottee.

Cllr Knight voted For.

Cllr D Fleming voted For.

Cllr Ride voted For.

Cllr Dale Evans voted For.

Cllr Wright voted For.

Cllr Hart voted For.

Cllr Cottee voted For.

Cllr M Fleming voted For.

Cllr Phillips voted For.

It was **agreed unanimously** to accept Option c) and take no further actions in this respect.

134-20/21 Budget/Precept

a) To consider and possibly agree the Council budget for the 2021/22 municipal year

The Council budget for the 2021/22 municipal year was **agreed** as circulated and is attached as Appendix 1 to these minutes.

Cllr Hart and Cllr Dale Evans abstained.

b) To consider and possibly agree the Council's precept demand on Chelmsford City Council for the 2021/22 municipal year

The Council's precept demand on Chelmsford City Council for the 2021/22 municipal year was agreed as circulated prior to the meeting as follows:

Precept: £42,099

Band D charge: £53.85 (a rise of £0.01 on 2020/21)

The meeting closed at 9.05pm.

Signed _____
Councillor M. Fleming, Chairman

Appendix 1 - Agreed Budget – 2021/22

Code	2020/21	2021/22	
Administration			
Hall hire	750	750	
Insurance	1500	2000	Allowance for extra cover
Postage	20	25	
Stationery	150	150	
Audit	700	800	
Subscriptions	850	900	
Elections	500	500	
Office Equipment	250	500	Scanner
Bank Charges	24	24	
Zoom	-	750	
	Total	6399	
Council Equipment			
Noticeboards	-	3000	Replacement of current noticeboards
	Total	3000	
Grants			
Rettendon Primary School	1500	1500	
Other	2000	2000	
VE Day	600	600	Make money available for events once allowed
	Total	4100	
Highways			
Highways	25000	15000	Down from £25000
	Total	15000	
Legal Fees			
Bell Fields	30000	-	
	Total	-	
Media			
Newsletter	1250	300	£25pm for one column
Publications	-	500	Annual Reports etc
Website	250	1500	
Printed Maps	-	500	Maps for noticeboards
	Total	2800	
Parish Maintenance			

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Councillor M. Fleming, Chairman

Streetlight electricity	2500	2800	
Streetlight maintenance - bulbs	1500	500	
Streetlight maintenance - other	-	7000	Split proposed cost of £14000 over two years
Churchyards	1750	1750	
Bus shelters – cleaning	2500	1000	Added in cost for paying contractor
Bus shelters – maintenance	-	1500	Cost of repair etc
Street furniture	1000	1500	
Sonters Down	5000	1000	
Verge Maintenance	5000	5000	
Planting	-	500	
Bell Fields	5000	-	
Defibrillators	1000	1000	
Security	5000	7000	
Community Transport	5000	5000	
	Total	35550	
Village Survey			
Printing costs	-	500	
Other	-	500	
	Total	1000	
Neighbourhood Plan	-	1000	
	Total	1000	
Health and Well-Being			
Misc.	-	500	
	Total	500	
Staff Costs			
Salary payment	12000	10000	Net cost
PCSO	2000	2000	
HMRC	1500	1000	
Mileage	500	400	
Provision of office	250	250	
	Total	13650	
Training			
EALC	750	1500	
Other	100	100	
	Total	1600	
	Grand Total	84599	

Signed _____
Councillor M. Fleming, Chairman

Signed _____
Councillor M. Fleming, Chairman