

Statement re Bell Fields dispute

Following a statement read out by a councillor at a meeting of Rettendon Parish Council on Thursday 3 December 2020, the Parish Council has agreed the following response:

1. As far as the Parish Council is concerned, this dispute arose because individuals appointed by the PC in May 2013 as trustees for charities 271479 & 271480 (Allotment for the Labouring Poor, and Allotment for Exercise and Recreation) declared themselves as self-appointing, refused to stand down at the end of their 4-year appointment, and refused to acknowledge the appointment of trustees by the PC in July 2017.
2. The councillor alleges the PC has asserted that they were not a trustee. This is not the case: the PC sought to confirm that the trustees it appointed in 2013 were not able to self-appoint. This in turn led to the question of whether the PC itself is the sole trustee (as a body) or it has the authority to appoint trustees for a finite term. Item 88 in the final judgment states “The conclusion I have reached in this judgment simply means that the solution preferred by Mr Hart and the other defendants – namely that the management of Bell Fields and the Charities has been permanently taken away from the Council by their appointment as trustees – is wrong in law.”
3. The councillor asserted that the PC was having to “massage the budget” for the next financial year and having to abandon “important local projects.” The PC, with the guidance of its Responsible Financial Officer, continues to adhere to the highest standards of public administration, as evidenced by the annual report of its auditor. The PC has discussed and agreed its budget in full view of the public. The councillor is invited to identify the “important local projects” that have been abandoned.
4. The councillor referred to “councillors who pursued this action.” The PC wishes to clarify that the action was pursued by Rettendon Parish Council itself, following a series of resolutions by the council, and not by individual councillors.