

Minutes of the Shotley Parish Council meeting held on Wednesday 4th May 2016 at 7:30pm at the Shotley Village Hall.

Present: Cllrs B Nichols (Chairman), J Catling (Vice-Chairman), N Green, M Williams, T Lawford-Randall, Mrs D Bedwell (Clerk), and thirteen members of the public.

- 1. Apologies for absence:** Apologies had been received from District Cllrs P Patrick and D Davis and County Cllr D Woods.
- 2. To note the resignation of Cllr T Ingram:** The recent resignation of Mr T Ingram was noted by members. The Council wished to thank Mr T Ingram for the time spent as a Parish Councillor and for all his hard work and dedication, which would be missed by all.
- 3. Declarations of interest with regard to items on the agenda and additions to register:** There were no declarations of interest.

Suspension of standing orders: *Meeting open for 5 minutes to allow members of the public to speak -Meeting open-*Mr G Richens stated that no replies had yet been received to the complaint letters sent to the Parish Council and Cllr B Nichols replied that the responses would be considered at this meeting and if approved, would be sent to the persons concerned in the next couple of days.

The chairman apologised for the delay but this had been due to the constraints of working within a small number of councillors and ensuring that a robust process had been followed.

Mr G Richens asked if the Parish Council would just continue to conduct "business as usual", to which members replied that they were not quite sure what was meant by this comment. The Parish Council had obligations and responsibilities and would need to continue operating in order to meet them.

Mr G Richens stated that he had asked for further information on April 16th about a transaction between a local business and the Parish Council. Mr G Richens also asked if the information that he had requested under a Freedom of Information request pertaining to the same matter and other financial transactions, sent to the Council on April 29th 2016 would be responded to.

The Clerk reminded Mr G Richens that as a Parish Councillor at the time and as the Vice-Chair of the OSAC committee, Mr G Richens had been kept informed of the process throughout and that a significant number of e-mails had been exchanged between the Clerk, Cllr B Nichols as the Chair of the Council, Cllr J Catling as the Vice-chair and Mr G Richens as Vice-chair of OSAC, some of which she read out to members and public present at the meeting.

The Clerk informed Mr G Richens that a Parish Council response to the FOI request would be prepared in accordance with its statutory duties in due course.

Mrs D Girling gave members a brief update on the current position of the First Responders and thanked the Parish Council for their support over the years.

Mr B Powell informed members that following an incident during the previous Sunday, emergency vehicles had not been able to gain access to School House and had had to do so via Battery Cottages/School Road. He suggested that this should be raised as a concern in the Shotley Emergency plan for further consideration.

- 4. To approve Minutes of the meeting held 17 March 2016 and Extraordinary meeting held 22 March 2016:** Minutes of 17 March 2016- Cllr T Lawford-Randall raised a query under item 7.4 of accounts for payment, a payment of £4,800 to a local business who had helped the parish council settle an invoice whilst it was waiting for the bank mandate change to be processed in 2015. Cllr T Lawford-Randall did not believe he had been made aware of the item in the past and needed further clarification. The Clerk informed Cllr T Lawford-Randall that the transaction had taken place because JB Turfs, a small company who had carried out the fencing works at the tennis courts and built the kickwall at the Lloyd Road play area, had not been able to be paid in the usual manner during the summer of 2015.

This had happened because Barclays Bank had not effected the changes to the bank mandate in good time. In order to ensure that the contractor was paid, the Parish Council had looked at alternative ways of settling this account, which amounted to £4,800.00. The Clerk herself had tried to settle the account by paying with her own credit card.

However, the company did not accept payments in this manner. She had e-mailed the Chairman, Vice-chairman and OSAC Chairman at the time in order to find an alternative way to make the payment. However these attempts were not successful and she had suggested that a local business may be able to help under the circumstances, for a short period of time. The said local business had obliged and a formal letter had been prepared to be sent to their accountants, in order with their request.

The repayment was supposed to have taken place by the end of September 2015 but unfortunately, Barclays Bank had not completed the bank mandate changes until the beginning of March 2016. This had been a long drawn out process. Barclays had sent the Parish Council a letter of apology exonerating the Chairman and the Clerk of any fault in the lengthy process. This was accompanied by a £50 refund. The said letter had been e-mailed to all councillors, however Cllr T Lawford-Randall refuted that he had received it. The Clerk informed Cllr T Lawford-Randall that she was happy to re-send not just a copy of that e-mail but also of all the others where members had been informed of this issue.

Cllr T Lawford-Randall insisted that the Parish Council should agree that mistakes had been made since he was not aware of this process and there was no record on the minutes of such a transaction. The Clerk asked Cllr T Lawford-Randall if he could clarify what mistake he was referring to, however this was not made clear.

The Clerk informed Cllr T Lawford-Randall that he may not have been aware of the process in its early stages because he had not been a Parish Councillor then. However, he had been informed in November 2015 via e-mail, in preparation for a Finance Working Group meeting, in which the clerk had had to adjourn the meeting due to the fact that, yet again, she had to visit the Barclays branch in Ipswich with a further copy of some of the needed forms.

The works to the tennis courts and kickwall that this payment pertained to had been dully approved by Council and the next transaction to be listed on the minutes was the issue of the repayment cheque to the local business who had helped the Council and had patiently waited for it. The Clerk had also informed SALC's Internal Auditor, who had given her clear guidance on how to present a clear audit trail for when the accounts were submitted for audit in 2016. The Clerk would also prepare a full audit trail of the transaction for the External Auditors so that they could verify that due process had been followed.

This had been an unprecedented situation and all those involved had tried to ensure that a small business was paid on time rather than to keep it waiting, which could have put the business at risk.

Cllr T Lawford-Randall remained unsatisfied with the explanation given and asked that clarification was issued for clarity before the minutes could be approved. As a result, the minutes of this meeting were deferred. *All items in italic on minutes were there to provide background information and did not infer that a discussion had taken place on the item being recorded.*

Mrs M Connell, speaking from the public gallery, asked the Clerk why this matter had not been made public at the time. The Clerk informed Mrs Connell that Councillors had been kept informed at the relevant meeting but that because there was an ongoing CID investigation into a suspected non-declaration of pecuniary interest by one of the parties involved, it did not seem appropriate at the time to bring their name any further into the public domain. She repeated that this had been an unprecedented situation and that there was no other way at the time to deal with it in a way that ensured the supplier was paid for work carried out. Due process of approving the initial payment had been followed and members had been informed at the March 2016 meeting that the Parish Council was now in a position to repay the local business lender.

Mrs D Girling added that it was saddening to hear the current discussion; that clearly a precedent had been set by this unusual occurrence and that lessons would be learned by not just this parish council but others on how to deal with such matters in the future.

Members agreed to defer these minutes to the next meeting and for the Clerk to prepare a statement for clarity. The confidential minutes of the same date were approved by members.

It was resolved to approve the minutes of the meeting held 22 March 2016.

- 5. Administration:** To receive update on co-option of new members: Members were informed that five parishioners had come forward and had completed their application for co-option onto the council. Interviews were due to be arranged in due course.

6. Finance

- (i) To consider and approve expenditure for APM refreshments: It was resolved to approve expenditure to the tune of £100. The Clerk had already approached The Rose Public House, who would be doing the catering. She would also be asking the Shotley WI to help with refreshments.
- (ii) To receive and note bank balances: Chair to e-mail to members as Clerk still unable to access internet banking.

- (iii) To consider and approve accounts for payment and note receipts: It was resolved to approve the accounts for payment, as follows:

1. Clerk salary	£1,247.39
2. HMRC	Deferred
3. E Bugg (Shotley Warden)	£176.00
4. D Bishop (Shotley Gate Warden and WC's)	£634.13
5. S A Meacock (grass cutting)	£220.00
6. D Davies (Website)	£120.00
7. Clerk's expenses (1x BT bill)	£85.24
8. Mr Casper De Boer- Repair to public conveniences door	£25.00
9. Peninsula Plastics- repair to waste bin at Crow's Nest	£100.00
10. Mr G Richens (on behalf of the Stour Footpath Group)	£630.91

Receipts:

11. First half of the precept for 2016/2017	£27,977.50
12. Local tax grant	£1,217.08
13. Funding from SYNC for Skatepark weekend 2015	£700.00

- (iv) To agree action to take following difficulties in recovering the sets of Christmas lights (Parish Council assets) from the Bristol Pub: The set being looked after by The Scouts had been recovered but unfortunately, although the Chairman had tried to recover the set currently at the Bristol Public House on four different occasions, that had not been possible. Cllr T Lawford-Randall agreed to pursue the matter and recover the lights.
- (v) To agree meeting date for the Finance Working Group- 3rd quarter accounts and year end accounts: It was agreed that the meeting would take place on Wednesday May 11th.

7. Planning matters

- (i) Applications received for recommendation to Babergh District Council: No applications had been received.
- (ii) To note Approvals/Refusals: No approvals or refusals to report.
- (iii) Planning Correspondence: No further correspondence had been received.

8. Reports from Councillors on matters not itemised on agenda/to be included in next Agenda (no decisions with a financial implication are permitted to be made at this point and should be added to a future agenda for consideration):

The Clerk was asked to request an update with regards to the extension of the footpath improvements at Marsh Lane.

- 9. **Chair's urgent business:** any items not on this agenda but of such urgency as to merit, in the Chair's opinion, immediate action: Cllr B Nichols informed members that a letter had been prepared by Mr G Richens about his perceived position of the Parish Council and that it had allegedly been signed by a number of local residents, which was due to be published on a future issue of the East Anglian Daily Times. The Parish Council had prepared a response, which had been circulated to members and would be considered in the confidential section of the meeting.

10. Date of next meeting: 19st May 2016 (Annual Parish Council Meeting) and 26th May (Annual Parish Meeting)

Temporary exclusion of press and public: *That pursuant to the Public Bodies (Admission at meetings) Act 1960 the Public and Press be excluded from the meeting due to the confidential nature of the business to be discussed: Mrs M Connell*

asked the Clerk why the following items could not be discussed in the public part of the meeting. The Clerk informed Mrs Connell that commercial, contractual and employment matters could not be discussed in front of members of the public because of their nature.

- 11. Contracts and Tenders- to receive feedback, review current position and agree any actions
 - (i) Grass cutting contract
 - (ii) Litter Warden contract (Shotley Gate)
 - (iii) Public conveniences cleaning contract (Bristol Hill)
 - (iv) Emptying of dog/household waste bins not within reach of Babergh waste services

- 12. Administrative matters: To consider responses to be sent for issues raised by residents

With no further matters to be transacted, the meeting ended at 11.15pm.

Signed: _____ Date: _____