

**Minutes of an extraordinary meeting of the Shotley Parish Council held on Tuesday 27<sup>th</sup> June 2017 at 7:15pm at the Side Lounge/Restaurant, The Shipwreck, Shotley Gate.**

**Present:** Cllrs B Powell (Chairman), B Nichols, R Wrinch, M Williams, N Green, R Green, J Catling and Mrs D Bedwell (Parish Clerk).

**Public gallery:** Mr and Mrs Humphries, Mr and Mrs Kallarn, Mrs A Green, Mr I Saunders, Mr A Peters, a member of the public whose name was not known, and District Councillor D Davis.

*District Cllr D Davis informed the Chairman that he would be recording the meeting and a recording device was placed on the meeting table.*

- 1. Apologies for absence:** Apologies had been received from Cllr B Higgs, which were approved by members. Apologies were also given for Cllr R Wrinch, however he arrived at the meeting shortly after.
- 2. Declarations of interest with regard to items on the agenda and additions to register:** None received.
- 3. Suspension of standing orders:** *Meeting open for 5 minutes to allow members of the public to speak on items on the agenda - Meeting open:* There were no comments from the public gallery.

*The Parish Council meeting closed to public participation at this point and was then in session.*

**4. Shotley Open Spaces Group - minutes of the meeting held on May 18<sup>th</sup> 2017 at the Bristol Arms Public House, Shotley Gate** (available on the S.O.S. website as of Monday 19<sup>th</sup> June 2017):

- 4.1 To consider and approve report on the accuracy of statements pertaining to the Shotley Parish Council, its members and its staff within these minutes:

***When asked by the Council, Cllr B Powell had strongly denied making the statements alleged on these minutes.***

A number of statements on the SOS minutes of 18 May 2017 had been identified as being of grave concern to the Shotley Parish Council due to their inaccuracy and inappropriateness, as follows:

4.2

<b>Item no.:</b>	<b><u>Statement on the S.O.S. Minutes:</u></b>	<b><u>Parish Council representation and factual correction:</u></b>
2	<i>"It has since transpired that some of Barrie's contentions were erroneous".</i>	<b>This statement applied to information received or reported post-meeting and did not specify what Barrie's "contentions" were and why they were deemed erroneous.</b>
5	<i>"Surprise alterations to the Sodexo terms of agreement to work on the foreshore"</i>	<b>This item had been discussed at length in front of Mr G Richens, who had been in the public gallery and was clearly listed on the Council minutes of 16.03.17 (item 11) and 18.05.17 (item 13)- Clerk offered to read excerpts of minutes if necessary. Furthermore, the SOS group had been e-mailed on 18.03.17 at 8.43am with the Shotley Parish Council resolution in detail.</b>
5	<i>"An employee of the Parish Council signed this without the agreement of the Councillors".</i>	<b>As per previous observations, items had been considered in detail by members at a public meeting and resolutions had been minuted.</b>

5	<i>"Regarding disciplinary procedures being taken"</i>	No disciplinary procedures (or indeed process) had ever been undertaken against the Parish Clerk.
5	<i>"Dina has not complied with the warnings that two solicitors gave her in my presence"</i>	Dina had never, in her twelve year role with the Shotley Parish Council, had any warning, either given by a member of the Council or, as incorrectly stated, by solicitors in anybody's presence. The two last comments were considered not only defamatory but also extremely libellous.
5	<i>"They told her she should remember she was an employee, not the person in charge of the Council"</i>	The Parish clerk, as proper officer, was the equivalent of a Chief Executive and was responsible for the discharge of the Council's functions.
5	<i>"She should not have done this or signed it on our behalf without us discussing it and agreeing to it"</i>	The Clerk was following Council's resolutions at all times and the Clerk was the only person permitted to sign formal Parish Council documents, as she was the Proper Officer. All resolutions pertaining to this matter had been minuted accordingly.
5	<i>"Her actions are plain stupidity"</i>	Cllr B Powell's actual statement had been <i>"<u>Your</u> actions (as in the S.O.S. Group's) are pure stupidity"</i> , as he referred to the apparent animosity towards the Clerk by some S.O.S Committee members due to her professional handling of matters that had taken place in 2015/16.
5	<i>"A motion was passed unanimously - To withdraw co-operation with the Parish Council if these current problem are not addressed in a meaningful way"</i>	It was extremely disappointing that this decision had been reached by the Group after all the time and effort that had been invested by the Parish Council in considering formal agreements for works, approving budgets to help finance works, agreeing appropriate insurance cover and liaising with Sodexo in order to have appropriate arrangements in place. As there was a formal agreement in place between the two parties and an approved budget, this left the Council in a difficult position and what exactly were the intended implications of this statement must be ascertained with the SOS group.
7	<i>"Gun Deck Working Group - It seems there has been no response from the Parish Clerk"</i>	The Clerk had not been asked for any information on this matter and the S.O.S group should be asked for evidence to the effect, as the statement undermined the competence of the Clerk. It is also uncertain why this item even features on the S.O.S. agenda.

- 4.3 To note any relevant written response received from the SOS group: A response had been invited from the S.O.S. group but one had not yet been received.
- 4.4 To consider advice received from relevant Local Government, statutory and advisory bodies and agree action to be taken (including associated expenditure and implications on prior financial resolutions and agreements:

There were a number of issues for the Parish Council to consider:

- a) The Chairman of the Parish Council had been misrepresented, as the statements attributed to him were not accurate.
- b) The statements written about the Parish Clerk were not only totally incorrect but were also very defamatory and libellous in nature. As the S.O.S. meetings took place in a public place (The Bristol Arms Public House) it was likely that there may also be an element of slander attached to such statements.
- c) The decision made by the Group with regards to not co-operating with the Parish Council placed the Council in a very difficult position. The Parish Council needed to ascertain what exactly was meant by this decision and how it may affect the agreements that were currently in place.

**Recommendation no. 1:** Due to the inaccurate and libellous nature of the statements contained within these minutes, it was recommended that the Parish Council requested formal legal advice. Projected expenditure initially was likely to be in the region of £600-£700.

This situation involved two important groups within the village: One a group of hard working volunteers and the other a group of volunteer councillors who were there to represent their community. It appeared that there may be a very small number of individuals within the S.O.S group with differing views to the others, therefore it would not be fair to assume that views represented were those of all volunteers.

Councillor Wrinch found himself in a difficult position because both groups, SOS and the Council were trying to work for the good of the village and it was very disappointing that there was an impasse between them but he felt that there should be no precipitate action to sort out this matter. Perhaps just to take legal advice on the best way forwards.

In pure terms of what had actually been written on the SOS minutes, seeking legal advice was the Parish Council's only possible position.

The S.O.S group had been asked to clarify these matters but no response had come forward and it was clear members would much rather prefer to find a non-confrontational way of resolving any possible animosities. Members admired the work done by the volunteers, however this sort of statement created a toxic atmosphere that was not conducive to a positive working relationship.

The Parish Council had a duty to protect its members and the Parish Clerk from such damaging actions, therefore it was unanimously resolved to seek legal advice on this matter.

**Recommendation no. 2:** Write to the SOS group and ask for some explanation of what was actually meant by the decision not to co-operate with the Parish Council.

Following on from the previous discussion, members reiterated that it was deeply regretful that the present position had been reached by the S.O.S. group, where non-cooperation with the Parish Council was being suggested.

A considerable amount of time and effort had been spent in agreeing the various documents and funding which enabled the SOS to operate on Parish Council land and being faced with this position at this stage was very disappointing.

This situation needed to be clarified, therefore it was unanimously resolved that the Parish Council would approve the recommendation of writing to the SOS group in order to find out what their position was.

- 4.5 To consider and approve a Shotley Parish Council Press Release and associated expenditure: It was resolved to defer this decision to the next meeting in order to afford the S.O.S. group an opportunity to respond.

5. **Date of next meeting:** 20<sup>th</sup> July 2017: Noted.

6. **Meeting Closed.**

With no further matters to be transacted, the meeting ended at 7.35pm.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_