**DRAFT**

**MINUTES OF MARLDON PARISH COUNCIL**

**EXTRAORDINARY VIRTUAL MEETING**

**MONDAY 7th SEPTEMBER 2020 @7.30pm**

**THE AGENDA FOR THIS MEETING WAS FORMED UNDER**

**CONFIDENTIAL MATTERS**

Present: via Video link: Cllrs. Page, Webber, Oilphant, Clarke, Thorp, Cllr. Ward (lost connection) The Clerk, Susie Watt

Via Phone link: Cllrs. Pennington and Palk

**1.09.20 1. Apologies:** None

**2.09.20 2. Declarations of Interest:** None

**3.09.20 3. Play Park Update:**

The Chairman outlined the reason for the meeting; to discuss the tenders received for the regeneration and upgrade of the Play Park situated at Torfield. The Clerk was requested to update the Council on any further communications since the papers and the costings comparison concerning the tenders had been distributed to all Councillors.

The Clerk informed the Council that she had spoken with the Head of SHDC Play Parks and also our County Councillor. She had received advice and also confirmation that the Contractors who had tendered had provided full and Industry Approved Designs. It had been stated that although the site was ‘difficult’, it was not the most awkward site to regenerate in the area and that Salcombe Play Park which had just had a similar upgrade, with minimal Groundworks had cost £120,000.

The Clerk stated that some of the costings had huge variations and had sought additional quotes for the GroundWorks, however, Plan 3 Groundworks were inline with general costings for the undertaking. Groundworks would always have to be completed prior to any installation. The additional costings will be available prior to the full Council meeting on 14th September.

She also stated that the Parish Council had received requests for the Play Park to be moved to different areas of the Village, i.e. Broomhill and on the flat area of Torfield. Any new site would indeed increase the Groundworks costings, Planning permission and ROSPA reports would also be required. It was agreed that these suggestions will not be considered. The Play Park at Torfield has been on the site for over 40 years and had there been regular investment over the years, the need to replace and regenerate the site now to such an extent would not have been required.

The Clerk discussed with the Parish Council all three tenders and also the comments received from members of the public regarding each plan.

Plan 1 – had not provided quotes for the Ground Works or the required fencing. No one had expressed a preference for this option via the Comments Section or otherwise.

Plan 2 – The Groundworks costs were extortionate, there was limited expensive equipment which was not aesthetically pleasing for the area. There had been negative comments requesting that Plan 2 was not considered.

Plan 3 – The most expensive of the three submitted plans, however, the Contractors had interpreted the specification and provided a detailed breakdown which would enable the Council to pick and choose requirements and items as deemed necessary or otherwise. Comments received had been in favour of this plan.

The Clerk went on to explain that the Yellow Brick Road, the pathway around the Play Park could actually be reduced to reaching just above the first level and would ultimately reduce those costs by half, there could also be a change in surface of the pathway from the safety surfacing to tarmac which again would reduce the costs.

Cllrs. suggested a reduction in some of the equipment and the Clerk agreed that some of it looked repetitive.

The Clerk also informed those present that a number of applications for grant funding had been submitted, and that she had not at this stage, submitted the application for the Public Works Loan as she considered it prudent to wait a while to hear back from the grant organisations who would give an indication of whether the applications looked likely to be successful. The Clerk said that she had always hoped that there would only be a minimal loan or not have to apply for a loan at all, however, as the Council had no other form of funding for the Play Park, and considering that the s106 funds were for the whole Parish and not just the Parish Council, the s106 funds were never going to be adequate for the requirements of the Parish and outsourced funding would have had to have been looked at.

The Crowdfunding Page was up and running but had not been spread far enough to attract a regular stream of donations, the Clerk requested that the Council also tried to forward the link for the Crowdfunding Page and to distribute the leaflets outside of the Parish. There had been, gratefully received, but not a substantial amount of donations to date ranging between £10 and £100 amounting to a total in the small hundreds. The more we managed to raise this way and via the grants, the less the Public Works Loan would be.

Cllr. Pennington then requested to speak, he stated that in January 2020 the Minutes dictated that a Public Consultation be held and that a document would be sent to all Parishoners, this had not happened. It was explained to Cllr. Pennington that the Public Consultation was nothing to do with the Play Park, the Chairman repeated several times that the Play Park is closed because of health & safety Issues. Cllr. Webber stated that he had visited the Play Park and could see nothing wrong with it other than the grass needed cutting.

The Chairman and the Clerk both explained that the Play Park Inpsection in December had highlighted areas of concern and potential danger to the children using it, the swing frame could break at any time, the horse was rusting and the springs likely to break, the slide was dangerous with rough metal edges, both Climbing Frames needed to be replaced and the fencing was a danger to all and needed completely replacing. The Clerk also stated that there had been many emails over the last few years requesting an upgrade as the Play Park was not fit for purpose.

Cllr. Pennington then put forward a motion to keep the Play Park CLOSED until the COVID 19 crisis was over, this caused an uproar. The Chairman called for a seconder, Cllr. Webber seconded the motion. A vote was taken to which Cllr. Pennington requested a Recorded Vote. The motion was not supported. Cllrs. Page, Oliphant, Clarke, Thorp and Palk all voted AGAINST the motion. Cllrs. Pennington and Webber voted FOR the motion. It was therefore **RESOLVED** that the Play Park regeneration continue.

The Chairman then called for discussions and a vote on the Tenders submitted. After much discussion, Plans 1 & 2 were dismissed. Plan 3 was discussed at length, the design and equipment was aesthetically pleasing for the area, there was a range of equipment, probably too much which should be reduced. The costs of the Pathway needed to be reduced as well as the railings.

The Chairman then requested a proposer and seconder to support Plan 3. Cllr. Oliphant proposed and Cllr. Thorp seconded. The vote was 6 – 1 in favour of proceeding with Plan 3 on the proviso that The Clerk obtained a substantial reduction on the overall costings. It was also requested that the final Groundworks costings and Contractor would be chosen at the full Council meeting on Monday 14th September after receipt of the reduced costs and other quotation. It was therefore **RESOVLED** that the winning tender was Plan 3 supplied by Rhino Play.

**4.09.20 4. Councillor Conduct/Chairmans Statement:** The Chairman read out a number of comments received by the Clerk from members of the Public, also statements received verbally from others that certain members of the Council had discredited the Clerk in Public, the Clerk had received emails from members of the Public which presented unwarranted and disgusting comments to and about the Clerk direct. The Chairman stated that he would not tolerate such behaviour from Councillors or indeed, the public. The Clerk was doing her job. He reminded Councillors that they were not there to act alone but to work together with the Clerk who carried out the Council Business. He showed documents providing the role of a Councillor compared to the role and job specification of the Clerk (the Proper Officer). He quoted other Councils where the Clerk had been harassed and bullied by Councillors and members of the Public, to a lesser degree than our own Clerk, and that Council was taken to a tribunal where the Clerk was awarded £80,000 damages – the Chairman warned the Councillors that any further behaviour of this kind by Councillors or the members of the Public would not be tolerated and action would be taken.

The Chairman stated that the Clerk was doing everything required of her within the boundaries of her role as Proper Officer and Responsible Financial Officer, that she actually did over and above the hours she gets paid for and that her role is a recognised profession within Local Government. He stated that for years the Clerk within Marldon Parish Council had not been permitted to carry out their duties and that if our current Clerk left, then any new Clerk would be doing exactly the same. The Chairman stated that he would be left with no choice but to report any Councillor who continued with such behaviour and if they had an issue with that, he welcomed discussion in private, not out in the public domain. The Chairman stated that those Councillors who continued were breaking Employment Law and bringing the Parish Council into disrepute.

The Chairman called for unity, respect for the Clerk and to work for the better of the Community not self gratification.

The Meeting Closed at 9.15pm

SIGNED: ....................................................................... DATE: 14th September 2020-09-09

Cllr. Gordon Page - Chairman