**DRAFT**

**MINUTES OF MARLDON PARISH COUNCIL**

**EXTRAORDINARY VIRTUAL MEETING**

**MONDAY 23RD MARCH 2021 @7.00pm**

**PRESENT:** Via video link: Cllr. Page, Cllr. ward, Cllr. Oliphant, Cllr. Clarke,Cllr. Hart. Cllr. Sharland, Cllr. Thorp

County Cllr. Hawkins via Video.

The Parish Clerk/RFO – Susie Watt (video link)

3 members of the public attended via video link.

There were no questions from the Public.

**1.23.3.21**  **APOLOGIES:** Cllr. Palk.

**2.23.3.21** **DECLARATIONS OF INTEREST:** NONE

**3.23.3.21 CHAIRMAN’S COMMENTS:** The Chairman explained that Cllr. Hawkins had been invited to attend the whole of the meeting as an observer and to participate in the Confidential Matters item on the Agenda. Cllrs present agreed (Cllr Clarke was not present at this time). The Chairman also explained, that due to incidents and situations that had arisen just 15 minutes prior to the meeting starting, it was also agreed that members of the public would be permitted during the Confidential Matters section of the meeting as it was in the public interest to be informed of the seriousness of the current situation.

The Chairman then proceeded to inform everyone present, that the Clerk, Susie Watt, had been subjected to a sustained and disgusting onslaught of libellous emails, subjected to harassment and malicious communications. This has been ongoing since September 2020 but over the last few weeks the intensity had increased. The perpetrator is a resident of Marldon, who has taken it upon themselves to defame the Clerk and remove her from office. The situation had now escalated in that the perpetrator had now put Susie’s safety and health in danger, along with that of her family as the threats and malicious emails are now including her daughter and husband.

The Chairman went on to state that not only had Susie received threats etc., but so had the Parish Council, the Councillors are aware of the perpetrator who has now stated that each Councillor is personally liable for the actions of the Clerk. This is untrue, and it was reiterated, that the Council had every faith in the Clerk’s actions, that she carried out the decisions of the Parish Council only and it was the Parish Council as the Corporate Body that actually had a responsibility to ensure the welfare of its employees, i.e. the Clerk., as such, the Chairman had received an email from the Clerk’s Governing body the SLCC’s union the ALCC, which was read out to all, so that it was absolutely clear that they had a duty of care, regardless of the threats to Councillors from the Perpetrator just a few minutes before the meeting started.

The Chairman then stated that the situation was now in the hands of the Police and in fact, two police forces were dealing with the Harassment. There is crime number for Harassment and malicious communication. The Chairman also, sadly informed the Councillors, that someone within the current Council had informed the perpetrator that there was to be a discussion and a vote as to instructing legal action against the Perpetrator, this was only known to Councillors who are under a legal obligation NOT to discuss legal matters outside of the present Council, its present Councillors and Officers. The Chairman informed all present that it was likely they would, at some point in the near future, be contacted by the Police. The Chairman then requested that all present swear that all present via Zoom link, were on their own and no other persons were present in the room were their zoom was operational. All Councillors and members of the public raised their hands in agreement.

The Chairman then requested the Clerk, Susie Watt provide a background: NOTE: No part of the italicised statement from the Clerk should be reproduced or used in any format whatsoever. The statement is within the Minutes of Marldon Parish Council, the Minutes are a Legal Document and can be produced in a Court of Law as evidence.

*‘ Since September 2020, and prior, but I will deal with the incidents from that date first. I have been accused by a member of the Marldon Parish and ‘other residents’ although the latter never appear to have names, to have taken control of the Parish Council, bullied Councillors in making decisions, not provided Councillors with the correct documentation to make decisions, given contracts to ‘friends’ of hers at over priced quotes for no reason at all. I.e. the Play Park did not need regenerating. The person accused me of abuse of office (along with the Council at one point) and that I should ‘seek legal advice’ as to my position of Clerk. whilst I could !’. I have been accused of gross misconduct by this person, who has written to every Councillor and South Hams District Council stating the same things. There has been a multitude of continuous accusations. When the Council and myself did obtain legal advice, the perpetrator then accused of us of not being able to answer questions and especially the Clerk of being incompetent by having to get legal answers to questions the person just wanted to know.*

*That is basically the background. However, it now goes much deeper and both the Solicitors and the Police have stated that these actions are a personal witch hunt, harassment and victimisation of an individual. The Police and Solicitors have all the documentation.*

*In 2015 I stood as a Crown Prosecution Witness for a trial* against *a moneylaunderer, my background and association during the preceding period leading up the Trial was investigated thoroughly.*

*In Mid 2007 my husband (a serving Police Officer, due to retire) and I moved to Crete in Greece. A place where we had been holidaying for over 15 years. In March 2008 we met a couple (not known to us prior) who appeared friendly and had lived on the island of Crete for a number of years. We became friends and would often visit their villa or meet for social occasions. They had told us they were property developers and in fact, had asked my husband if he wanted to invest some of his Police Pension in their Investment Scheme. My husband stated no, absolutely not, he had worked too hard to lose his money. They had then asked me what I did, I told them I had a background in grant funding and especially European Social Funding. They latched on to this and asked if I could help them as they had Hotel projects which they were hoping to open to encourage tourism to Crete. In a nutshell, I said I would help them on a consultant basis and indeed, found some funds that would suit what they were trying to achieve. I was aware that they had a number of plots and that they had UK Investors. I explained that grant funding did not provide dividends for investors, they could match fund, which was a requirement of any grant but they could not ‘benefit’, the beneficiaries would be the communities with improved resources and where training would be provided.*

*I met many times with the Greek Government in Athens in a Department which managed the Invest in Greece Funds. I was given conditions, general ones which always accompany any grant funding. However, as the recipient company was owned and managed by British ex-pats, there were additional requirements, namely how they had come by the money to make the first land purchases in Crete, along with much more information and evidenced documentation. I explained that any company, organisation, charity or whatever or whoever they are, had to go through these checks. It was during this time that I discovered inaccuracies, and I became alarmed and carried out my own investigations, I found that around 12 million euros had been invested, and that the investors believed their money had been invested in a Company, when I checked the Company out, it did not exist, it was not registered in Greece or the UK.*

*I informed one of their biggest investors and told him that I was nervous about doing anything else and explained what I had found and showed him certain documents. He did his own investigation and then went to the Police in the UK.*

*I was eventually asked to speak to the Police as well and I talked to many Officers, from Interpol, the serious crime squad, the economic police, West Yorkshire Police, the CPS etc.. It was a very trying and traumatic time. I was told that the Moneylaunder had used a known tact, the 3 F’s – Friends, Family and Fools, to obtain the investments. He was a charmer, completely plausible. Eventually the husband was jailed for 8 mths in Crete. Prior to this though, there was an attempt to break into our villa and various other incidents, not least threats by text message. I was advised by the Greek legal system to take out an injunction against the husband, and extended family. This was duly granted in the Court in Chania. I was told by the authorities to leave Crete quietly and quickly and return to the UK. Once out of Greece, I was to inform the Solicitors and the Police. In September 2013 there was a Civil Trial brought by the Investor I had originally informed, and I along with one other were called as Prosecution Witnesses. The night before the trial, there was an attempted break in at the property we were staying in, with windows being rattled and shouts in Greek. None of us could speak enough Greek to make the Police aware, so I called the British Consul who I knew well, and I was told that if we were in fear of danger to ourselves, then we were to leave immediately. The British Consul said she would inform the Courts of what had happened by a formal statement from the British Consul on our behalf. That statement was duly read out by the Judge at the start of the trial. (At the reconvened trial in the October, we were not obligated to attend by permission given by the Judge and the Lawyers represented the Witnesses for the Prosecution.)*

*The husband was released, as there were no prosecution witnesses there could be no trial and they had to declare him innocent. However, on returning to the UK he was arrested and I was then called as a Crown Prosecution in January 2015. After an 8 week trial he was sentenced to 7 years in prison. My appearance at the trial was believed to be insignificant, I was only required for the day as the Judge was aware my Mother was dying and I needed to get back to home.*

*I never heard from the Moneylaunderer again, until I received an email from the Marldon resident, stating that they wanted to speak to me about this man and my association with him. I then started receiving emails from him via my Berry Pomeroy clerk account. The emails he sent were sent to around 30 other people as well, including the Marldon Resident.*

*To clarify, the man was released on licence in late 2018 and a POCA (Proceeds of Crime Act) condition. He stated his main residence was Crete and that was where he would need to go to get the money to comply with the conditions of his release. His sentence does not finish until July 2021. However, he has failed to pay within the time limit the Judge set, he is on recall from Probation and not complied and is WANTED in the UK. If he comes back into the UK he will be immediately arrested and serve a further 4 years. The Marldon Perpetrator, who I have never heard of until September 2020, never had any dealings with ever, stated that they had been contacted by a Journalist wishing to find out about the trial and myself. Having had some Journalistic training myself, I know a Journalist has many means of finding out basic information. The Marldon Person has probably googled my name and the trial has come up as there is quite a bit of information on the net as the convicted criminal states that he is innocent, he actually blamed me for exposing something I didn’t know anything about. Anyway, the Marldon Person has aided and abetted a wanted convicted criminal, provided this criminal directly or indirectly with where I work, my contact details at work, what I do and also given my daughter’s details. The Marldon Perpetrator has then gone to obtain the Defence papers of the trial and is in communication with criminal, so basically aiding and abetting a wanted convicted criminal, but has the audacity to write to the Councillors and other residents, who they state also has the documentation, and that I should not be in the position of Clerk, that I am a threat to public funds, that the elderly and retired residents of Marldon would be alarmed at the fact that the Clerk had criminal associations, and supported a criminal. That Council should get rid of me before the Council funds go missing, etc., This was also stated in a phone to the Chairman of Berry Pomeroy Parish Council and also an email to its Councillors.*

*Not once has the Marldon Person stated that I was a Crown Prosecution Witness, they are now using statements from a Criminal who they have provided information to and I am now being harassed not only by the Marldon resident, but a criminal who is accusing me of criminality to Marldon Parish Council as he states that I have given a contract of £150k to a friend of mine who’s company was going bankrupt. Myself and my daughter and my daughter’s work, a firm of Solcitiors in Torquay are now receiving malicious and libellous emails from the criminal with Marldon resident either cc’d into the email or it is the Marldon resident direct.*

*I am sorry to say, that I have never, ever in my whole life been treated by a community like I have been treated by some vile minority of residents in Marldon. I have worked tirelessly to help the Council and the Community. It is totally and utterly disgusting. I have done absolutely nothing wrong. I do NOT make the decisions in Marldon Parish Council, the Councillors do, they have all the information I have, I talk constantly with the Chairman, I have not bullied anyone – in fact, the majority will state that I have been the victim of bullying and harassment within the Council almost from the day I started. There were emails stating that I am lining my own pocket, have ‘controlling behaviour, I have received vile emails telling me to ‘resign immediately, you are not wanted in this village’ (I did get an apology for that one)......to emails stating I don’t know what I am doing, to stating ‘Don’t YOU come here telling US what to do, it is our Village’., this is just a small selection of the disgusting emails I have received, and ironically those snippets of the emails above, have been used by the Marldon resident in the emails they have been sending, what is so disturbing is that this person gets it all so wrong, which is why the Police and the Solicitors have also advised taking out a civil defamation claim. The Police will deal with criminal side.*

*I just do not know why, I don’t know this person, but I do know they have links with the Council past and present. It is quite disturbing and unbelievable that someone detests me that much to go to such lengths to get rid of me and ultimately put my family and myself in danger. Not only are my family concerned regarding the safety aspect, but they are acutely aware of my state of health, I have a heart condition and that frightens me too. However, I do have a stubborn streak, and I detest discrimination of any kind and I am tenacious – I will not resign, sack me by all means, but I will not resign, I have helped to make this Council more transparent than it has ever been – every financial decision is made by the full council, NOT behind closed doors, every decision is made by full council in front of the public. Every decision is made by a democratic vote not determined by coercion.*

*Yes I am angry, but I am more upset that human beings can stoop this low against another human being and again, I ask Why ? The Marldon Person crossed the line for me when they contacted a convicted criminal and tried to say that my association with a criminal is putting the community at risk, I unearthed the Moneylaundering and went to the Investors and then when I was sure and I was informed by the Police that there was something wrong, I went straight to the Greek Government and told them as well. I would have no hesitation in doing the same again.*

*The Marldon Person crossed an even bigger line when involving my family, my daughter who has had the worst five years of her life, losing her Grandmother (my mother), her Father-In-Law, nearly losing her little girl (my Granddaughter) at 3 ½ yrs to a brain tumour and then nearly losing her Mother (me) to heart attack two years ago – having just gone back to work full time and now her work targeted by a wanted convicted criminal ! It is disgusting and the lowest of the low. It is vile and what is further disturbing, that someone within this Council is feeding the Marldon Person with information.*

*I am sorry but I am angry and upset, I am fighting to keep my mind from going mad - some are probably delighted to hear this !, I am trying to do my job; but the Marldon Person has also been responsible for the delay in the Public Works Loan, normally, even with COVID the turnaround is three weeks, ours has been 2 months – which has caused the delay to the completion of the Play Park. Again,* ***if*** *all this is because a small minority of people were not happy about the way the Play Park was being regenerated and in some cases did NOT want the Play Park re-opened, it is even more disgusting, that so called intelligent people can act in such a way – disgusting and vile !*

Cllr. Page then took over and stated that he too was totally disgusted, that the good that the Clerk had done and continued to do was overlooked and that she was being personally attacked, he stated that he hoped the Police would take action as soon as possible.

Cllr. Thorp stated he had never heard anything so disturbing and was thoroughly ashamed that he was sitting on a Council where someone was potentially putting the Clerk and ultimately the Village at risk.

Cllr. Hawkins stated that the Parish Council were lucky to have Susie, that it was due to her tireless work that the s106 funds and the loan had been secured for the Play Park. It was such a shame that a small minority in the Parish were causing such harm and such dreadful actions to someone the village should be proud of !

A member of the Public asked if they could speak, the Chairman, suspended standing orders. The member of the public stated that they were horrified by what they had just listened to. That they had not found one person who was against the play park, against the Council and certainly not against the Clerk. They stated that the comments they had seen on social media regarding the Clerk had been derogatory and it was apparent by the lack of attendance at the Parish Council meetings and the lack of posts on social media who those people were, they stated that those people needed to be named and shamed.

Another member of the public requested to speak. They wanted to endorse what the previous speaker had said and stated that the Play Park was being greeted as the most positive thing to happen in the Village for many years, that the talk outside the school gates was of excitement, happiness and could not wait for the Play Park to be opened. They went on to thank the Parish Council for what they are doing and also thanked the Clerk.

The Chairman then reinstated standing orders and stated for the record, that no names had been used during this any of the meeting. He then went on to request a show of hands to take forward the need for legal action against the perpetrator. The Parish Council had Insurance cover up to £250,000 to cover legal action and the Clerk was instructed to contact the Insurance Company to request assistance. The Chairman also stated that the Clerk’s husband had funded the current action which the Police had advised the Clerk to carry out, this should not have had to come out of the Clerk’s or her husband’s funds as this harassment was aimed at her role as Clerk. It was therefore, RESOLVED by a unanimous named vote to go ahead with legal action. All in favour: Cllrs. Page, Cllr. Ward, Cllr. Oliphant, Cllr. Clarke, Cllr. Hart, Cllr. Sharland and Cllr. Thorp.

The Chairman thanked everyone and again it was confirmed that the Clerk had the support of the Parish Council.

**4. 23.3.21: RESOLUTION TO DETERMINE THE WORDING NOW REQUIRED BY THE SECRETARY OF STATE TO FORWARD THE PUBLIC WORKS LOAN APPLICATION FOR APPROVAL AS REQUESTED BY THE SECRETARY OF STATE’S OFFICE dated 17.03.21**

The Follo wing Resolution was agreed unanimously and signed by the Chairman:

‘At the Marldon Parish Council Meeting of 23rd March 2021, it was RESOLVED to seek the approval of The Secretary of State for Housing, Communities and Local Government to apply for a PWLB loan of £48,000 over the term of 25 years for the purchase of Play equipment to refurbish Torfield Play Park, Marldon. The Annual loan repayments will come to around £2,637.00

It is also intended to increase the Council Tax Precept for the purpose of the loan repayments 38.7% which is the equivalent of an additional £3.05 a year.

This will be subject to a Precept Increase Consultation. (Held in November 2020 with an 83.8% in support)’

**5. 23.3.21: TORFIELD PLAY PARK:** The Chairman stated that now all the funding is in place, the Contractors have been instructed to complete the final stages. It is not sure when the final opening date will be. Grass seed needs to be laid and it needs to be established and hardy enough to take the initial wear and tear. There is demand on Rhino Play (UK) Ltd since the schools have returned and they could not jeopardise other contracts whilst waiting for the go ahead from us due to the delay caused by others ! The Chairman then asked the Clerk to proceed.

The Clerk had literally just received an email from Rhino to say that they had managed pull some of their Operatives off other contracts and that weekend work would be required, it was unanimously agreed to permit this and the Clerk would put notices on Social media to let everyone know. This will speed up the installation process of the project. The Chairman then stated it was fantastic that Rhino had managed to pull out the stops for Marldon. The Clerk then stated that the Operatives at the Play Park had previously taken quite a bit of flak from some members of the public, it was hugely embarrassing that this Village had now got a reputation for not being welcoming. However, that had been balanced by some very positive and supportive comments to the team at Rhino who had been assured that the majority of the Parish were excited and appreciative of the efforts being made.

As an aside, the Clerk stated that she had now received the FOI request submitted on behalf of the Council to South Hams District Council and also a Subject Access Request for herself. The contents were appalling, from requests for the Parish Council to be dissolved due to their inability to project manage the Play Park, to accusations of not managing Council Business correctly, to the Clerk ‘lying’ to the Council and members of the public to get ‘her own way over the play park contract’ to criticism of the Council for putting in a ‘disabled path around the play park which wouldn’t be used because the disabled could push a chair around as it was and they hadn’t seen any disabled persons use the Play park because they couldn’t get up the hills anyway. It was agreed by all present that this was a truly disgusting reflection and whilst people were entitled to an opinion, the nature of the correspondence was not only false but a total misinterpretation of the facts and discriminatory.

The Clerk then stated however, we need to be positive, the funds were in place and the support of the majority of the Community was inspirational, along with the help and advice received from Cllr. Hawkins and also special thanks to our MP Anthony Mangall. The Clerk explained that the delay had actually concerned her greatly and that she had a feeling that outside forces may be influencing the delay, so she had contacted the MP to ask for assistance. Anthony Mangall was not only supportive but kept her informed on an almost daily basis and intervened to expedite the decision and had contacted Robert Jenrick’s Office to assist !

The Clerk then explained that Rhino had respectfully asked if we could pay part of the costs within the quote for the Heras Fencing, the whole project had now been delayed by around a month and the Heras Fencing had been on hire for some time which Rhino were funding. They did not wish the Parish Council to think they are reneging on their promise of payment on Completion. It was suggested that since Stage 1 had been completed, that the Clerk applies for an Interim Payment from the allocated s106 funds to which Stage 1 was ring-fenced and to pay Rhino for the completed works. It was unanimously RESOLVED to pay Rhino Stage 1- the Groundworks, even though they had not requested this payment in full. The Clerk also stated that we could also claim the VAT back (via HMRC) on that payment which will assist with the VAT payments for the larger amounts later on.

The Clerk then explained that Rhino had said the grass seed being used was ‘Woodland Grass’ seed and was more robust than normal lawn seed, the Clerk had suggested turf but that required constant watering and there was no water supply in the Play Park. The Woodland Grass was fairly fast growing and we would need to buy a couple of goats to keep the grass down as in the long run that would be value for money and cheaper than the Grass Contractors, plus we could bottle goats milk and sell it to raise funds for other projects within the Parish.

The seeding of the landscaped areas might push the opening of the Play Park back again, Cllr. Clarke stated that it was a good lesson in Nature that children had to be patient and just wait for the grass to grow. The Clerk stated that the park had been closed for over 12 months and that it was a bit of a hard lesson for the children to learn at this time when they had been deprived of outside space not just because of the play park closure but also because of the restrictions that COVID had presented. Cllr. Ward also stated that the children had also been subjected to the bad and good behaviour of adults around them.

Cllr. Sharland then asked if COVID would impact on the Play Park opening in any way. The Clerk explained that at the moment all parks were open and it was being encouraged that they are used to help the children with their mental health. She also explained that we would have to have some notices erected with COVID guidelines such as parents bringing their own sanitiser so that equipment could wiped before and after use, only one family per item of equipment at any one time, social distancing must be observed and that we would need to put a sanitisation station at the entrance. Cllr. Hawkins confirmed this and stated that Rob Sekula could assist with the signage – only the wording though not the actual signs.

It was agreed that any opening of the Play Park would be in consultation with Rhino and the Clerk and Chairman.

The Chairman closed the meeting by reminding everyone to the confidential nature of some of the discussions which would not be included in the minutes. He thanked the Clerk for explaining her situation and that it was an ordeal she should not have had the need to air.

The Meeting Closed at 20:20hrs

Signed.................................................................................Date: 12.04.2021

The Chairman, Cllr. G Page