



MINUTES

Virtual Meeting: COUNCIL

Date: 18th March 2021

Time: 8.00pm

Hosted from: COUNCIL OFFICES, HAINAULT ROAD, CHIGWELL

PRESENT: Councillors (9)

Councillors; Pranav Bhanot (Chairman), #Deborah Barlow, Jamie Braha, Kewal Chana, Rochelle Hodds, Alan Lion (Vice-Chairman), Faiza Rizvi, Mona Sehmi and Barry Scrutton.

Officers (2)

Anthony-Louis Belgrave – Clerk to the Council

Mark Hembury – Responsible Financial Officer/Cemetery Registrar

Also in Attendance

There were no members of the public in attendance.

for part of the meeting.

20.281 RECORDING OF MEETINGS

NOTED that in accordance with Standing Order 3 (1) photographing, recording, broadcasting or transmitting the proceedings of a meeting may take place.

20.282 APOLOGIES FOR ABSENCE (1)

Members **NOTED** that no apologies for absence have been received.

20.283 OTHER ABSENCES (2)

Councillors; Naveed Akhtar and Deborah Barlow.

20.284 DECLARATIONS OF INTEREST

Members **NOTED** that there were no declarations of interest.

20.285 QUESTIONS FROM MEMBERS OF THE PUBLIC

Members **NOTED** that no questions have been received.



20.286 EXCLUSION OF THE PUBLIC AND THE PRESS

Members were reminded that in accordance with the *Public Bodies (Admission to Meetings) Act 1960* and *Local Government Act 1972*, a council meeting must be open to the public and the press, and they may only be excluded by manner of a council resolution, that states publicity would prejudice the public interest by reasons of the confidential nature of the business or some other reasons stated in the respective resolution arising out of the business to be transacted.

Councillor Lion question whether the ‘Staffing Matter’ needs to be considered as being confidential. He stated that the council is looking to recruit someone, put a budget in place, consider the requirements for that post and whether this is a suitable person for this post. He concluded that there is no reason why this should be confidential. In response to a query from Councillor Sehmi pertaining to the respective CV, which served as an appendix, Councillor Lion stated that the individual’s name does not have to be disclosed during considerations and the individual is aware this is being proposed and discussed, because there has been a meeting with himself, the Chairman and Councillor Rizvi on this matter. He further proposed that the salary payments could be considered confidential, but this does not have to be mentioned, only the budget required.

In response to discussion, Members were reminded that the exclusion of the public and press can only be undertaken by resolution and that generally ‘*engagements and terms, or service*’, are considered as being of a confidential nature. Members were further reminded that one of the respective appendix details proposed ‘*terms of service*’ in a correspondence from the Associate Manager at Society of Local Council Clerks (SLCC), received by the Clerk, from the Chairman, which is addressed to the Councillor Lion. Members were further reminded that the second appendix is the CV, for the individual, it is being proposed will be employed by this council.

After further discussions, it was then moved by the Chairman and **RESOLVED** that;

- This information be **NOTED**.
- The public and the press would not be excluded from the meeting.
- The individual’s name would not be referred to during consideration of this matter.

20.287 STAFFING MATTER – Recruitment of an Interim Deputy Clerk/RFO

Members were reminded that at the meeting held on 10th September 2020, the council was informed that the position of Responsible Financial Officer/Cemetery Registrar will become vacant effective 31st December 2020, due to a notice of resignation, dated 1st September 2020, received by the Clerk, on behalf of the council. Members were further reminded that at the meeting held on 8th October 2020, it was confirmed the employment of the Responsible Financial Officer/Cemetery Registrar would be extended beyond 31st December 2020, to 1st April 2021.



Members were advised that the recruitment of the requisite replacement is an ongoing process. In the intervening period, it is proposed to recruit an interim staff member as a locum.

Members were further advised that following an enquiry undertaken by Councillor Lion, the Associate Manager at the Society of Local Council Clerks (SLCC) has proposed a possible candidate.

Members **CONSIDERED** the correspondence received from SLCC and the Curriculum Vitae, of the prospective employee.

Councillor Lion stated that he did send an email to members, which included a number of propositions, which he thought would be useful to consider. He acknowledged it is not on the agenda in that level of detail, but members can view those propositions, which have the decisions this council needs to make. He advised members that the first thing we needed to be considered was a budget, what the appropriate requirements are, a work-plan for this particular individual, which could be decided upon later on and how long the contract would be for, and the rate of pay.

In response to queries, Councillor Lion advised members that the individual can start in the last week in March 2021. Councillor Rizvi (Chairman of the Personnel Committee) stated that the individual would be able to meet the present RFO, next week, on Wednesday or Thursday.

In response to discussions, the RFO advised Members he has contacted the individual today, who has agreed to attend the office on 24th March 2021. The RFO further advised, in view of the fact this individual will be working from home, at a location of considerable distance from the Parish office, he is concerned that because a considerable portion of his tasks are essentially 'office-based' as everything related to the Cemetery, requires an office presence; bookings, responding to telephone enquiries, visiting the cemetery with clients etc. Further, all the cemetery files are located at this office, whilst all the files and tasks associated with the Allotment plots, again require an office presence, this aspect of council business becomes very busy at the beginning of the municipal year (April/May). The Victory Hall will likely be re-opened in the near future; the proposed individual will not be able to assist with these council matters. Additionally, he will not be in a position to respond to telephone enquiries, visitors to the office or CCTV enquiries. He concluded that essentially the proposed individual will only be able to do a small aspect of the required tasks, while based at home. In response to a questions, Members were advised that because of the considerable distance between the office and the individual's place of residence, he has stated he will not be able to attend the office on a weekly basis.

In response to discussions, Councillor Scrutton asked whether a 'contract of employment' could be seen by the council, so it is clear to Members exactly what this individual will be employed to do. Councillor Sehmi questioned whether a 'Job description' was provided to the SLCC and surely the selected person is aware of what is involved.



In response to further discussions, the Chairman stated that this is very much an interim, and he is not being recruited on a permanent basis. He acknowledged that Councillor Scrutton did ask the council, months ago that this matter should have been progressed then, and he takes that point. He further acknowledged that the council does need someone, even on a limited basis, to at the least support the Clerk during the immediate weeks, until a permanent person is recruited.

In response to discussions, Councillor Lion suggested that the Cemetery Supervisor being well-versed in cemetery matters could undertake the operational roles for the cemetery, and he could be asked to do some of those things. In response the RFO/Cemetery Registrar stated that the Cemetery Supervisor would not be able to undertake the operational roles associated with the cemetery, because of his existing duties and a requirement for training. In response to further suggestions, Members were reminded that the regular seasonal maintenance of the Open garden areas is due to begin within the next ten days, accordingly the Cemetery Attendant/Horticulturist and the Cemetery Supervisor will be heavy engaged in those associated tasks.

In response to further discussions, the Clerk stated he has severe reservations pertaining to what the council is being asked to do. The primary concerns are that the council is being asked to employ someone, without having sight of an appropriate 'contract of employment' and Job description.

The Clerk further reminded Members that a few months previously the concept of an interim employee was first made to the council, which was duly rejected. At that point in time, the relevant documentation necessary for the consideration of a temporary employee would have been made available, for Member' consideration, to allow an informed and timely decision to be made by the council. In the present circumstances, that is not the case. At this time the council is being asked to employ someone, based on a CV and a brief email correspondence from the Associate Manager (SLCC). Further this CV, does not refer to the other non-financial aspects of the RFO/Cemetery registrar's responsibilities. The Clerk further advised that in view of this circumstances, it appears the remaining responsibilities will be assumed by the Clerk, as the sole employee in this office. The Clerk reiterated that he would not be able to perform these tasks, in addition to his existing responsibilities. Consequentially, the council's services will be adversely affected. The Clerk reminded Members that he informed the council of this situation in December 2020. He further advised Members that it is a statutory requirement for a council to appoint an RFO, so this fact should be taken into account during these considerations. In response to further discussions, the Clerk reiterated the point that without a stated '*contract of employment*' the council is unable to determine with certainty whether the individual is offering to be employed as an RFO. In response, Councillor Rizvi stated that the decision required is whether the council would like this person to be recruited into an interim position for an agreed time period, and agreed sum, and an agreed 'work plan' once this is agreed, then a contract can be produced.



In response to discussions, the Chairman stated that a contract cannot be produced until the council has agreed to employ the individual. Councillor Lion advised Members that the contract is with the SLCC, they employ the individual and charge the council, under their standard terms and conditions. The council would need to work out what tasks would be required of this person and a mutual agreement in terms of the 'work-plan.' Councillor Braha stated that whilst it is clear the person is not able to everything required, they need to be in place as soon as possible so he can have a proper 'hand-over' with the current RFO. The Chairman stated that he knows that the Clerk is concerned that his responsibilities and workload will now acutely increase, so the council would have to; 'cut him some slack' and the reality is that the council will be unable to function with the existing level of efficiency. In response to discussions, Councillor Scrutton stated that it must be appreciated that this individual is offering to do the 'finances' and nothing else, further the finances require access to the council's bank accounts and the present financial policies require two signatories to authorises payments for invoices.

In response to discussions, the Clerk quoted the minute **20.98**, for the council meeting held on 10th September 2021, for Member's information. After further discussion, the Chairman proposed that the matter be voted upon, it was then moved by the Chairman and **RESOLVED** that:

- The matter of whether to employ the proposed individual on an interim basis as a Deputy Clerk/RFO, on the terms set out by Councillor Lion; a three-month basis, 20 hours per week setting aside a budget of **£10,000**, with joint terms of reference and an agreed 'work plan' to be determined in the coming weeks.
- This employment would be approved, only on the basis he is able to attend the office once per week, to provide the necessary support to the Clerk; this requirement would be included in the respective 'job description.'

After, results of this vote were announced by the Clerk as eight in support, one opposed, it was then moved by the Chairman and **RESOLVED** that;

- This information be **NOTED**.
- The proposal to employ the proposed individual on an interim basis as a Deputy Clerk/RFO, on the terms set out in Councillor Lion's; a three-month basis, 20 hours per week setting aside a budget of **£10,000**, with joint terms of reference and an agreed 'work plan' to be determined in the coming weeks be **APPROVED**.

20.288 EXCLUSION OF THE PUBLIC AND THE PRESS

Members were reminded that in accordance with the *Public Bodies (Admission to Meetings) Act 1960* and *Local Government Act 1972*, a council meeting must be open to the public and the press, and they may only be excluded by manner of a council resolution, that states publicity would prejudice the public interest by reasons of the confidential nature of the business or some other reasons stated in the respective resolution arising out of the business to be transacted.



After discussions, it was then moved by the Chairman and **RESOLVED** that;

- This information be **NOTED**.
- The public and the press be excluded from the meeting, the council believing that publicity would be prejudicial to the public interest by reason of the confidential nature of the business about to be discussed.

20.289 VICTORY HALL/CHIGWELL MEMBER’S CLUB

Members were reminded a revised lease was relayed to LMVHF on 9th October 2020, and a virtual meeting was held on 14th October 2020. Members were further reminded that at the Management committee meeting held on 28th October 2020 and the council meeting held on 10th December 2020, it was resolved that the ‘Final schedule of dilapidations/wants of repair’ report and the Electrical installation condition report, would be conveyed to the LMVHF and the Chigwell Member’s Club.

Members were further reminded that on 20th January 2021, a meeting was held with an advisor from the Rural Community Council for Essex, to garner further advice on this, and other associated matters. At the Management committee meeting held on 21st January 2021, it was resolved that access to the building would be denied with immediate effect, essential repairs necessary for a vacant property would be undertaken and the appropriate legal actions would be pursued.

Members were reminded that at the meeting held on 11th February 2021, it was resolved that the recommendations of the selected solicitor and the documentation which defined the associated services would be approved.

Members **CONSIDERED** correspondence and documentation received from the consultant solicitor, pertaining to the agreed actions and an email received by Councillor Braha, from the Lewis Memorial & Victory Hall Foundation, concerning these matters.

Members **RECEIVED** a confidential update and advisory from the Chairman and Councillor Braha and the Clerk on these matters.

After full and in-depth discussions, it was then moved by the Chairman and **RESOLVED** that;

- This information be **NOTED**.
- The consultant solicitor would be instructed to pursue a; ‘Deed of surrender’ on behalf of this council.

The meeting concluded at 10.00pm.

Signed

Chairman

Date