

NORTHBOURNE PARISH COUNCIL

MINUTES

Extraordinary Meeting held on Tuesday 25th July 2023 at 6.30 pm.

THE CHURCH ROOM - NORTHBOURNE

MEMBERS OF THE PUBLIC AND PRESS WERE EXCLUDED FROM THIS MEETING DUE TO PENDING LEGAL MATTERS

1. PRESENT AND APOLOGIES

In Attendance: Cllrs Dan Edelman, Eileen Rowbotham and Jacquie Brett
Clerk – Cathy Skinner

Apologies: Cllrs Bob Brewin and Mark Pays

2. DECLARATIONS OF INTEREST:

a) Declaration of any councillor's interest in agenda items other than those registered at previous meetings. b) Declaration of Disclosable Pecuniary Interests and Other Significant Interests and Voluntary Announcements of Other Interests (other than those previously disclosed), and a reminder to think of any changes to the DPI Register held at DDC, such as a change of job or home. c) Voluntary Declaration of other non-significant interests.

None

2. TO APPROVE THE MINUTES OF THE LAST MEETING HELD ON 13TH JULY 2023

The minutes were agreed as a true and accurate record of the meeting, proposed by Cllr Rowbotham, seconded Cllr Brett – AGREED.

A copy of these minutes will be sent to Harvey Rudd at DDC.

4. RECREATION AREAS

A ALMONRY MEADOW

To review expenditure and agree next steps/proposals.

The Clerk circulated expenses to date in respect of Almonry Meadow and Betteshanger Recreation areas.

NORTHBOURNE PARISH COUNCIL

Pavilion Electricity	£33.34
Insurance	£1,615.41
Pavilion Electricity	£23.89
Play Equipment Inspection	£298.80
Mowing of Almonry & Betteshanger	£3,120.00
PADLOCK - Almonry	£32.80
Trees Almonry Meadow + fence repair children's area	£980.00
Moles Betteshanger	£40.00
	£6,144.24

Having reviewed the maintenance costs of the recreation areas, and following careful consideration, Northbourne Parish Council decided against future use of Almonry Meadow for vehicle parking, key reasons are maintaining the public recreation area for parishioners and also to note that use as a car park breaches our covenant on the land. The Parish Council is always willing to consider hire requests to parishioners.

Proposed by Cllr Brett, seconded Cllr Rowbotham – AGREED.

B THE PAVILION – ALMONRY MEADOW

DB Works invoice - to agree a response to DAS Legal and D Beaney's FOI request.

Attached to these minutes:

Appendix 1. Invoice from DB Works (David Beaney)

Appendix 2. Letter from DB Work's (David Beaney) Solicitors.

Following much discussion, it was agreed, with reluctance, to settle the invoice as proposed at the meeting of the Council held on 30 June 2023

DB Works Invoice No. 1638 - £16725.60 less

Payment already made- £7760.40 for previously minuted and agreed work to the roof.

Leaving a balance to pay of £8965.20.

Payment of £3000 on account immediately with the balance of £5965.20 to be paid on 1st April 2024.

This proposal is subject to agreement of DB Works (David Beaney) to accept and for all pending FOI and SAR requests to be withdrawn.

Sent to DB Work's Solicitor on 26 July 2023

Cathy Skinner
Clerk

DB Works Ltd

Bulwark Street
 Dover
 Kent
 CT17 9TZ
 dave@dbworks.co.uk
 VAT Registration No.: 329813973

**VAT Invoice**

INVOICE TO
 NORTHBOURNE PARISH COUNCIL

SHIP TO
 NORTHBOURNE PARISH COUNCIL
 LAND REAR OF NORTHBOURNE VILLAGE HALL

INVOICE 1638
 DATE 31/05/2023
 TERMS Due on receipt
 DUE DATE 31/05/2023

DATE	ACTIVITY	DESCRIPTION	VAT	QTY	RATE	AMOUNT
	Sales - Groundworks	Invoice raised for works carried out - less £250.00 plus VAT off the total value quoted for membrane and planings due to the fact that after clearing the shrubs we noticed and found tree stumps and roots that you may want to consider being ground away prior to any more works being carried out. This is something we can discuss at a later date.	20.0% S	1	13,938.00	13,938.00

SUBTOTAL	13,938.00
VAT TOTAL	2,787.60
TOTAL	16,725.60
BALANCE DUE	£16,725.60

VAT SUMMARY

RATE	VAT	NET
VAT @ 20%	2,787.60	13,938.00

FREDERIC HALL
SOLICITORS

77 BIGGIN STREET • DOVER • KENT • CT16 1BB

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The Clerk
Northbourne Parish Council
Northbourne
Deal
Kent

Date: 12 July 2023
Our Ref: JPS/JPS/D21882-1
Your Ref:
Email: jps@frederic-hall.co.uk
Doc Ref: 2190303915

By email only

Dear Sir

Work to the Pavilion. Our Client: DB Works Limited

We have been instructed by DB Works Limited of Cherry Way Farm, Ewell Minnis, Dover, Kent CT15 7EA in connection with our client's claim against you for payment of the sum of £8,965.20 being the balance due under an invoice rendered on 31st May 2023.

On 6th December 2022 our client provided a quotation to Mr Morgan the then Chairman of the Northbourne Parish Council for work to be carried out to the Pavilion. The quotation was in three parts being work to the roof for £6,467.00 plus VAT, the fitting of new windows and doors for £6,989.00 plus VAT and to clean shrubs and weeds and lay down a membrane for the sum of £732 plus VAT.

On 27th January 2023 the quotation for work to the roof and the groundwork was accepted by the Clerk to the Council in an email addressed to our client and copied to Mr Morgan. Subsequently Mr Morgan gave an oral instruction to our client to also proceed with the works to the windows and doors. The work was referred to in emails from our client to the Clerk and Mr Morgan dated 4th and 9th May 2023. Both emails were acknowledged by the Clerk with the acknowledgment being sent to Mr Morgan. The work was subsequently completed. We are instructed that no issues were raised with our client by the Council notwithstanding the emails that had been sent and the fact that it would have been obvious that the work being carried out included the replacement of windows and doors.

On 31st May 2023 our client raised an invoice for all works carried out. We are instructed that part payment has been made but that the balance has been challenged on the basis that no record could be found of approval of the installation of the windows. Our client's position is that he relied upon the instruction of the then Chairman of the Council and that the emails support his contention that the instruction was given. There remains a balance outstanding of £8,965.20.

FREDERIC HALL
SOLICITORS

Continued

We are instructed that the Council has indicated that it does not have sufficient funds to settle the balance now due. Our client would therefore be prepared to resolve this matter upon the basis that you make an immediate payment of £3,000 and that the balance is settled on 1st April 2024. Please confirm these terms can be agreed. In the event that they are not agreed we shall advise our client upon the issue of proceedings.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Frederic', followed by a stylized flourish or initial.

Frederic Hall