

Nunthorpe Parish Council
Minutes of Extra General Meeting Held Friday 27th April 2018

PRESENT:

Ken Tomlinson (Chair of Parish Council), John Harrison, Charles Morrish, David Leyland (Vice Chair, chaired part of meeting), Stephen Thomason, Morgan McClintock, Dave Tate

IN ATTENDANCE:

Bob Mullen, Angela Livingstone (NPC Clerk), 3 residents

1.0 APOLOGIES FOR ABSENCE:

Frank Robinson, Mieka Smiles

2.0 PARISH COUNCIL TO CONSIDER RECENT CORRESPONDENCE FROM WARD CLLR RATHMELL

2.1 Councillors discussed three items of communication from Ward Cllr Rathmell. These included a letter addressed to the Parish Council on 5th April and a letter dated the same day to the Chair. A further email had just been received which had been sent to the Chair on 8th February and Ward Cllr Rathmell asked that this be considered. Further emails had been received on 27th April regarding the validity of this evenings meeting, this regarded the chairing of the meeting and the timescale for advertising. An email had been received shortly before the meeting showing email communications from Ward Cllr Rathmell to Chandlers Ridge Academy from February enquiring about the Family Fun Day.

2.2 The Clerk had been concerned regarding the content of the correspondence and had contacted the Chair advising of concerns of legal issues if the Parish Council pursued the original meeting. The Clerk had recommended requesting support on the matter. The Chair agreed and supported this. Councillors debated the matter, with a number of councillors feeling that there was no other option than to request support to ensure the matter ended. All Councillors agreed that the receipt of these emails was not helping the residents or the area.

2.3 The Chair advised that an email received from Cllr Tate had been an excellent email, he added that the issues were being forced on the Parish Council. He stated that the email mentioned a clash of personalities which he was unaware of. He felt that the Parish Councillors did not always collectively agree on a matter but remained friends.

2.4 The Chair stated that the emails he had received from Ward Cllr Rathmell had been concerning. Cllr Leyland stated that all work completed by the Chair was with the full support of the Parish Councillors. The Chair agreed that he had not completed any actions without authority of the Parish Council but had been accused of numerous sorts of inconsistencies. Cllr Harrison confirmed that the Chair had received a unanimous vote of confidence at a recent meeting.

2.5 Cllr Leyland stated that he disagreed with the contents of the first letter and felt that a letter should be sent dismissing the content and stating that the Parish Council do not agree. The Chair stated that he felt there was merit in going through the individual items of correspondence and sending a response, possibly with a copy to

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Middlesbrough Council. He commented on the need to be careful with the response and this needed to make clear that the actions of the Chair were on behalf of the Parish Council and that the Chair should not be persecuted for the actions of the Parish Council. He reminded that Middlesbrough Council had reprimanded Ward Cllr Rathmell for bullying previously and this was what he believed was happening.

2.6 The Chair clarified Cllr Leyland's proposal to deal with the matter promptly without approaching Middlesbrough Council for support and for the Vice Chair to chair the meeting. Cllr McClintock seconded this and all councillors agreed to be in favour of this. Cllr Tomlinson abstained. It was agreed that the meeting go ahead without additional support and with the Vice Chair taking the Chair. Cllr Leyland chaired the meeting from this point. All members agreed that Cllr Tomlinson had the Parish councils full support and there was no requirement that he should leave the meeting.

2.7 The contents of the letters received were robustly debated with recognition that the Parish Council disagreed with the contents and felt the comments were incorrect and inappropriate, it was commented that there must be an end to these emails being received and that Ward Cllr Rathmell should be advised this was unprofessional. Comments were made regarding Cllr Tomlinson being the best Chair the Parish Council had over the years and there was a need to refute the allegations made and state this was unacceptable.

2.8 Members of the meeting commented on their respect for both Cllr Tomlinson and Ward Cllr Rathmell.

2.9 Councillors stated their individual thoughts on the letter dated 5th April to the Parish Council. Cllr Leyland, Chair for the remaining of the meeting suggested that a letter should be sent in response to the items of correspondence, he felt that there needed to be a decision on whether to take legal advice or to send the response compiled by a group of Councillors. Cllr McClintock suggested that a letter be sent stating that the correspondence was regarded to be defamatory and if not withdrawn the Parish council would defer to Middlesbrough Council. Concerns were raised that Ward Cllr Rathmell would see any response as a challenge and would continue the personal attack on the Chair of the Parish Council. Cllr Tomlinson stated that he wanted a line drawn under the matter and wanted the comments removed to ensure that in future it was not believed that the comments were correct.

2.10 Cllr Thomason proposed that a letter be produced asking for the personal attacks to be withdrawn or further action would be taken. Cllr McClintock seconded the proposal stating that if correspondence was not withdrawn Middlesbrough Council should be contacted to protect the Chair and the Parish Council. Cllr Leyland stated that the letter should be drawn up in line with the discussions by himself and Cllr Thomason, this would then be circulated for comments. Cllr Tomlinson voiced concerns that the attacks to him would continue without a firm line. Cllrs voted and unanimously approved the letter be sent. Cllr Tomlinson abstained.

2.11 Cllr Tomlinson talked of details of the issues over the past few months. These matters included the letter talking of a clash of personalities regarding the Family Fun Day. He reiterated that he didn't believe there was any issue and felt this was in

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response to the Parish Council questioning the details of the event. He added that he had been personally supportive of the fun day, this was agreed by Councillors, and it was only due to his concerns following an email from the NMPFA that made him further question the location. The letter blamed him for the cancellation of the event and returned the Parish Council cheque. He stated that as in the past the Parish Council would have supported and been happy with a change of date to later in the year. Cllr Tate informed that Ward Cllr Rathmell had pulled out of the Family fun day and left him unable to continue

2.12 Cllr Tomlinson referenced the note Mr Mullen had given out to Parish Councillors at the January meeting stating that there had been incorrect procedures. Following this Mr Mullen had retracted the way this had been carried out but did not retract the comments, despite the Parish Council giving their full support to the Chairman. Cllr Tomlinson added that he had not attacked Mr Mullen or Cllr Leyland on this matter and had simply defended his own actions, they continued to work together. Mr Mullen agreed and mentioned that the Parish Council should also consider asking for legal advice from NALC.

A resident left the meeting.

2.13 Cllr McClintock proposed that in respect of the letter to Cllr Tomlinson dated 5th April, a comment be made that the Parish Council did not agree with the rational for the cancellation and the 5 paragraphs blaming the Chair. Cllr Leyland stated that all Parish Councillors supported Cllr Tomlinson and could understand why he was taking this personally. He added that the Chair completed work with full authorisation of the Parish Council. Cllr Tomlinson stated that any future letters, even sent to him personally would be forwarded to the Clerk for the full Parish Council. Cllr Thomason proposed that this letter be responded to robustly refuting the allegations and requesting allegations be withdrawn and disagreeing with the reasons. Cllr Tomlinson and Cllr Tate abstained all other members approved this.

2.14 Cllr Tomlinson stated that the email received in February had been privately addressed to him and he hadn't forwarded it, he believed that the matter had been resolved when he had met with Ward Cllr Rathmell with Cllr McClintock present. Cllr McClintock stated that this had been private but was now Parish Council business as Ward Cllr Rathmell had forwarded this. He felt that a similar response could be made to the outrageous unprofessional statements. All councillors agreed this. Cllr Tomlinson abstained.

2.15 Councillors were unsure if there should be one letter or individual letters. But agreed the need to draw a line and a robust letter to be sent for a retraction or apology.

2.16 Cllr Tate stated that he wished to move on from past issues.

**With no further business to discuss, the Chair closed the meeting at 9pm
and thanked Members for their attendance.**