

DOWNHAM MARKET TOWN COUNCIL

MINUTES OF EXTRAORDINARY FULL COUNCIL MEETING HELD

Monday 05 August 2024 at 6.00pm at the Town Hall,

Bridge Street, Downham Market, Norfolk PE38 9DW

	<p>Present</p> <p>Mayor / Chair – Cllr Hobbs</p> <p>Cllrs Brewer, Buxton, Daymond, Lane, Leach, Leivers, Westrop & Wiles (9)</p> <p>Town Clerk – Claire Dornan</p> <p>There were no members of the public present</p>
Notes	The Mayor advised attendees of the evacuation procedures and asked that all mobiles telephones were switched off or on silent.
Number	Item
001	<p><u>To receive Members’ Apologies for Absence</u></p> <p>Apologies were received from:</p> <p>Cllr Doyle – Ill Health, Cllr Jordan – Work Commitment, Cllr Lewis – Personal Commitment, Cllr B Moyses – Personal Commitment, Cllr S Moyses – Personal Commitment, Cllr Perkin – Personal Commitment, Cllr C Pyatt – Personal Commitment & Cllr J Pyatt – Personal Commitment</p>
002	<p><u>To receive Members’ Declarations of Interest</u></p> <p>There were no declarations of interest made by Councillors.</p>
003	<p><u>To approve the minutes of the Full Council held on 02 July 2024</u></p> <p>Proposed Cllr Westrop Seconder Cllr Daymond</p> <p>‘To approve the minutes of the Full Council meeting held on 02 July 2024.’</p> <p>All in Favour</p>

004	<p><u>Confidential Items To consider a resolution (under the Public Bodies Admission to Meetings Act 1960) to exclude members of the public and press</u></p> <p><u>To discuss correspondence from Lovetts Solicitors, UK & International Business Debt Recovery Solicitors, and agree actions</u></p> <p>Proposed – Cllr Hobbs Seconded –Cllr Brewer</p> <p>It was resolved:</p> <p>‘That members of the press and public be excluded whilst information pertaining to legal matters is discussed.’</p> <p>All in favour</p> <p>The meeting went into confidentiality.</p> <p>After a long discussion, Cllrs noted:</p> <p>That the contractor was present at the public meeting on 30 October 2019 where Council voted ‘making sure each stage is completed before payment.’</p> <p>The contractor has a long history within the Council sector, holding a senior position and is aware of what the expectations are in the industry.</p> <p>The contractor has not supplied a copy of a signed contract, as requested. The Council cannot find evidence of a signed contract.</p> <p>The contractor has supplied a draft unsigned contract. Based on this unsigned contract, the Council does not believe there is a case to answer regardless.</p> <p>The contractor has not supplied evidence of completion of works or evidence of submission of work to the Borough Council which is what the payment is invoiced for.</p> <p>That the contractor had received full payment for Stage 4 and it was questioned whether this stage of works has been fully completed and therefore it is queried if the contractor has already been overpaid.</p> <p>That payments had already been made to the contractor on 22.05.2020, 08.02.2021, 07.10.2021 and 07.01.2022. It is questioned why the contractor has not been in contact with the Council for over a year, if the contractor has been completing work for the Council.</p> <p>There are questions over why the contractor is now asking for payment. Is it because the Council declined a new contract.</p>
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	<p>The work in the declined new contract appears to have been covered in the draft unsigned contract that the contractor states the Council is contracted to.</p> <p>The meeting came out of confidentiality.</p> <p>Proposed Cllr Hobbs Seconder Cllr Wiles</p> <p>It was resolved:</p> <p>‘That the Council take no action in relation to the letter from Lovetts Solicitors dated 29 July 2024, received 30 July 2024.</p> <p>That the Council authorise the Town Clerk to engage the services of Hawkins Ryan Solicitors at a cost of £250 + VAT to dispute any legal claim and make a counter claim on behalf of the Council.’</p> <p>All in Favour</p>
	Meeting closed: 6:17pm
	SIGNED
	DATE