

Report to accompany item 20.71 - Tennis Club, for meeting 28 July 2020.

Introduction: My first report (dated 2.7.2020) is withdrawn and replaced by this one. This is because my first report assumed that the full minutes of the meeting with the Tennis Club, and the email decision from the Chairperson of the Tennis Club, would both be made public on the council's website. My first report only made sense if it was read in conjunction with these 2 documents. As I have been told by our Acting Clerk, Cllr Johnson, that we are not publishing these documents on the website, I have revised my report to provide more detail.

Myself, and Cllrs Purcicoe and Westbury met with representatives from Farnsfield Tennis Club (TC) on 8 July 2020 to request the return of the £10,000 grant requested by the TC in 2017, and paid to it in 2018.

In the meeting the Parish Council (PC) explained that because there had been significant errors in process on the part of both the Tennis Club (TC) and the PC throughout the whole process of applying for, and the awarding of, the £10,000 grant for the TC to build an extension to its clubhouse, the PC would like the TC to repay the £10,000. The PC went on to explain to the TC that they could re-apply for funding at any time (this would be from s.106 funds, which the TC is eligible for) and the detail of this process was discussed at length during the meeting. The PC explained that whilst the 3 councillors in the meeting could not give the TC an assurance that an application for new funding would be agreed by full council (as this could only be agreed at a full PC meeting), I said I did not know of anyone on the PC who was against awarding the TC funding through a new application.

It was understandable that the TC wanted to be very clear about how it could apply for the new funding, and I acknowledged myself and the chairperson of the TC had already discussed this and the TC could use the PC's current Grant Application Form as a guide to what sort of information it would need to provide in order to write a letter of application to the PC for new funding. I said the funding request would be a more collaborative process between any applicant and the PC so that individual details could be resolved as they went along. I said we are now a new council trying to do things correctly given the problems in the past.

I explained a resident had complained to the PC about the PC's governance of the grants process from that time. This had brought the issue to the fore and an internal investigation by the PC found there had been very poor governance of the PC at that time in relation to several issues, including the grant process. The TC asked why the PC didn't just go back to the resident who had complained and tell them that the PC was trying to put things right by letting events take their course until the extension was finished. The TC suggested the PC should tell the resident that it is satisfied with this approach.

We explained it was a matter of 'due diligence' and the application process had been flawed from the beginning. The PC's approach in this meeting was to protect the interests of both the PC and the TC. I said the PC is responsible for several £100,000 of residents' money and it is important to see the bigger picture, which is about governance overall, and not just the grant to the TC. The current PC would

be complicit in the actions of the previous PC if they did not ask for the money back. I said the PC had discussed letting matters take their natural course, and would love to do this, but couldn't.

The TC reiterated it would like more detail of the terms and conditions that would apply to any new award of funding, and noted Cllr Ian Clarke has offered to help the TC with the process.

We also said the terms and conditions of future funding applications would be put on the agenda for the next Finance and Risk Committee meeting on Tuesday 14 July (which it was) and it could then be put on the agenda for the next full council meeting on 28 July (which it has been).

On 16 July 2020 we received an email from Chairperson of the TC, on behalf of the Tennis Club Committee, to say its decision was that it does not intend to return the £10,000. It is only fair to comment that whilst the Chairperson of the PC has accepted the minutes as a true and accurate record of the meeting, the Chairperson of the TC has said the TC can only accept most of the recorded minutes from the meeting. The TC's Chairperson says there are *'a couple of discrepancies that we are going to have to agree to disagree on in relation to what was actually said'*.

These *'discrepancies'* refer to differences in opinion about details of what was said in the meeting. As the meeting was not recorded we can only rely on individuals' recollections of what they said, and where they do not believe they said something, such differences cannot be resolved. Meeting minutes are not *'verbatim'* and do not record every comment made.

The reasons the TC gave for not returning the £10,000 were that they *'accepted the money in good faith, given to be spent on improvement to the clubhouse to provide a better facility for the growing village community. As this money has been earmarked for this project, we feel we have a duty to our membership to progress this without further delay'*.

The TC has made no reference to the acknowledged significant irregularities on both sides during the whole process, which was the reason why the PC asked for the money back in the first place. I am therefore concerned that the TC has not understood how significant the irregularities are. The PC has reported itself to the Monitoring Officer (who oversees the actions of councillors), and tried to resolve the irregularities by asking the TC to pay the money back and apply for it again. The resident(s) who have complained about this issue are unlikely to *'go away'* and in my opinion, the TC is leaving itself wide open to legal challenge.

Cllr Chris Puddephatt
27.7.2020