



Minutes of the Parish Council Meeting held on Wednesday, 16th January 2013 at 7.45 p.m. in Bridgerule Village Hall

Present:

Chairman: Cllr. K. James

Councillors: Cllrs. J. McDougall, C. Seymour-Smith, J. Medland, G. Abbott, K. Elliot, and K. Davey

In Attendance: Parish Clerk (PC)

Mr. Clive Smale

Members of the Public

Mr. Smale had not arrived at 7.45 p.m. The Chairman decided to open the Meeting and change the order of business if necessary. Cllr. Medland has also not arrived.

876. APOLOGIES FOR ABSENCE

Cllrs. Haydon, Giles and Johnston and PCSO Bray had sent apologies

877. DECLARATION OF INTERESTS

The Chairman requested that interests be declared as matters arose.

878. PUBLIC OPEN QUESTION TIME

There were no questions from the public.

879. COUNCIL MEETING MINUTES

Cllr. McDougall pointed out that there was a letter missing, in paragraph two of Item 867. The PC confirmed that the sentence should endto spend money. Cllr. James proposed the Minutes of the Full Council Meeting held on 19th December, 2012 be approved. Cllr. seconded the proposal which was carried. (Vote 5 For. 0 Against. 1 Abstention).

Mr. Smale and Cllr. Medland arrived at 7.50 p.m.

880. TO DISCUSS, WITH ADVICE TO BE GIVEN BY MR. CLIVE SMALE, SOLICITOR, THE DRAWING UP OF A LEASE BETWEEN BRIDGERULE PARISH COUNCIL AND BRIDGERULE VILLAGE HALL LIMITED

Cllr. Seymour-Smith circulated documentation prior to the Meeting. **Appendix 1** explains the background to Bridgerule Parish Hall Committee forming a charitable company, namely Bridgerule Village Hall Limited. **Appendix 1** forms part of these Minutes.

Appendix 2 details questions Cllr. Seymour-Smith put to Mr. Smale and form part of these Minutes.

Appendix 3 details extracts of Minutes between 1950 to 1961 which related to the Parish Hall.

Mr. Smale confirmed that there is nothing in the Deeds to explain the purpose of the transfer in 1956 and that there are no Express Trusts with the Deeds, although there is a carbon copy of an undertaking by the Council to settle the property on charitable trusts for, presumably, a village hall. He also confirmed that in his letter dated 3rd December 2010 he stated that the Hall site is vested in the Parish Council as the freehold title holders of it. This is still outstanding and it was to facilitate setting up a registered charity that Mr. Smale first became involved. In this letter Mr. Smale also confirmed that provided the proceeds of any land sale were used to further the purposes of a village hall, he didn't believe the Council would be falling foul of any law or rule.

Mr. Smale suggested that the Council could declare it holds the property in Trust for the Limited Company and therefore a formalised lease would not be needed.

A discussion took place. Cllr. James referred to Appendix 3, and said that there was no parent teacher association at that time as indicated in the minutes 23rd August 1961. Mr. Smale said it is likely that this is a misuse of terminology. Cllr. Seymour-Smith confirmed that membership to Bridgerule Village Hall

Limited is open for anyone to apply and also confirmed that there would have to be a very good reason for refusing an application. **See the reverse of Appendix 1** (also included in the Articles of Association).

Cllr. James asked what the Parish Council could do if it felt the Limited Company was not carrying out its duties. Cllr. Seymour-Smith said the Council, or anyone, could report it to the Charity Commission, who, if it felt the Company was being derelict in its duties, could remove its charitable registration. Cllr. Seymour-Smith also confirmed that at the moment two Bridgerule Parish Councillors sit as Members of the Limited Company, with the rest being made up of residents of Bridgerule. He reiterated that if other Councillors wished to become Members their applications would be greatly appreciated.

A discussion took place regarding the actual site and the PC handed the original Land Registry Register of Title (04.12.2008), with a plan of the site, to Mr. Smale for placing with the Deeds held at Peter Peter & Wright.

Mr. Smale left the Meeting.

Cllr. James then gave historic details of how some present Councillors had been instrumental in keeping the Hall going. He said he felt it is essential the Hall moves forward and Cllr. Seymour-Smith agreed. Mr. Barry Williams (member of the public) stated that there are a group of people who have raised money, and also carried out work on the Hall, and will continue to do so, to keep the Hall in good repair; new windows, walls, etc.

Cllr. Abbott asked what plans are envisaged for the Hall. Cllr. Seymour-Smith said that the Company has enlisted the help of CCD (Community Council of Devon) in applying for funding. Cllr. Abbott asked what the "battle plan" was "where do you see the Hall in the next 20 years?" Cllr. Seymour-Smith said there are many things that need doing to the Hall, and when the Company has an indication of what funds are available to it (via grants, etc.) it will be able to draw up a detailed plan. However, it is already obtaining quotations for work that needs to be done. Cllr. Seymour-Smith believes that, in the future, the village could have both a renovated village hall and a sports hall on the playing field. He again suggested more Cllrs. could become Members of the Company.

Cllr. James proposed that the PC write to Mr. Smale asking him to put into writing his recommendation – that the Council declares it holds the land and property in Trust for the Limited Company (once it has obtained the registered charity number); when this has been received an Item to be placed on an Agenda for a Council Meeting for the recommendation to be discussed. Cllr. Davey seconded the proposal which was carried unanimously. (Vote 7 For. 0 Against. 0 Abstentions).

Members of the Public left at 8.35 p.m.

881. POLICE REPORT

The PC informed the Meeting that PCSO Bray was unable to attend the Meeting, but was hoping to attend the next Meeting on 20th February, 2013. A written report had not been received.

882. MATTERS ARISING

Item 846 – November Meeting – Grass Cutting – The PC asked if Cllr. James had spoken to Mr. Glover regarding his not cutting the grass at the bus shelter. She pointed out that it is probably advisable to write informing Mr. Glover of this. Cllrs. agreed and the PC will write to Mr. Glover informing him of its decision that he is no longer required to cut the grass by the bus shelter.

Item 866 – Bus Shelter – Cllrs. Parsons still has to sign the grant application form.

Item 869 – 30 mph signs – The PC has written to Simon Phillips, DCC Highways as requested. Tony Curtis, Highways Neighbourhood Officer, had replied explaining the criteria for 30 mph signage. This had been circulated to all Cllrs. (Correspondence Received Item 8)

Item 869 – B3254 Newacott Cross - The PC has written to Simon Phillips, DCC Highways as requested. An e-mail from Tony Curtis to Simon Phillips with possible solutions had been received and circulated to all Cllrs. This also mentioned the problem of broken mirrors caused by a BT post (see Item 812 September Council Minutes).

883. ACCOUNTS DUE FOR PAYMENT

The following account was presented for payment:

BRIDGERULE PARISH COUNCIL - INVOICES PAID IN JANUARY 2013

COUNCIL EXPENDITURE

Date	Pay To	Voucher	Gross	Net	VAT	Reason
16.01.13	M. Fenner	506	£156.23	£156.23		Salary - January 2013
	Total		<u>£156.23</u>	<u>£156.23</u>	<u>£0.00</u>	

Cheque 505 cancelled - incorrectly made out

Bank Accounts		Reserve Account	
<u>Current Account</u>		£7,000.85	Balance at 19th Sept
Balance at 19th November	£4,746.25	£0.72	Interest - Sept
	496	£30.37	
	497	£175.00	
	498	£696.00	
	499	£156.43	
	500	£780.00	
	501	£25.00	
		<u>£1,862.80</u>	available to Council as Reserves
			£2000 earmarked for Playing field
Balance at 19th December	£2,883.45	<u>£7,001.57</u>	Project £70 being residue of Parish Plan
-			<u>Playing Field Project Bonus Saver Account</u>
			Balance at 19th October
			£2,000.00
			quarterly bonus
			£0.10
			<u>Balance at 31 October</u>
			£2,000.10

Cllr. James proposed the account be approved for payment. Cllr. Seymour-Smith seconded the proposal which was carried unanimously. (Vote 7 For. 0 Against. 0 Abstentions).

The PC explained that the Council would not be subject to a capping of the precept in 2013/2014 and had circulated correspondence received from TDC (correspondence received Items 3 and 7). She also explained the implementation of the Localised Council Tax Support (CTS) and the fact that it does not have an effect on the precept set by Bridgerule Parish Council. The Precept will be paid in two instalments: by 30 April 2013 and 30 September 2013. She also explained that Cllrs. needed to confirm that the DALC (Devon Association of Local Councils) subscription for 2013/2013 should be deducted from the first instalment of the Precept. Cllr. James proposed that the DALC (Devon Association of Local Councils) subscription for 2013/2014 should be deducted from the first instalment of the Precept. Cllr. McDougall seconded the proposal which was carried unanimously. (Vote 7 For. 0 Against. 0 Abstentions).

884. PLANNING Applications

1/1056/2012/FUL Roof covering existing open yard
Borough Farm
Bridgerule
EX22 7EF

Interest Declared: None

Recommendation: After discussion, Cllr. James proposed the application be recommended for approval. Cllr. Davey seconded the proposal which was carried unanimously. (Vote 7 For. 0 Against. 0 Abstentions).

885. HIGHWAYS

The PC informed the Meeting that Sam Sharp had been going to attend the Meeting, but due to unexpected work commitments could not do so. He will provide, by e-mail, a brief update on gritting etc. which the PC will circulate when received. He had told her that gritting had only been necessary once in the past months and salt levels were high. He will be checking with DCC whether or not it is providing more salt, free of charge, this year. Sam believed that DCC had indicated that this would happen when the Council took ownership of the gritter.

The PC informed the Meeting that she had reported the flooding outside Linthan, just past Southfields towards Borough Cross. A Highways' Team had been out and had indicated that 'jetting' would be necessary to clear a blockage causing the flooding. The PC will check that this work is being undertaken.

Cllr. Abbott reported flooding outside Short & Abbott, Mill Lane. This is due to the bank collapsing into the culvert; water not being able to drain away and flooding the road. The PC will report this.

Cllr. McDougall reported on correspondence between Mr. Hilleard and Ian Sorenson of DCC regarding a change in the route of vehicles working at the Solar Farm at Bradford Manor. This is causing a large amount of damage on the Furze Cross road to Duxs Cross. The PC was instructed to write to Ian Sorenson regarding this, pointing out the damage being done.

886. PARISH HALL

The PC informed the Meeting that the Budget has set an amount of £500 in the Budget (2012/2013) for new village hall expenses. This had not yet been used. Cllr. Seymour-Smith said that it would be beneficial, from the point of view of obtaining match-funding when applying for grants, if the Council made a grant to Bridgerule Village Hall Ltd. After discussion, Cllr. James proposed that a grant of £500 be made to Bridgerule Village Hall Ltd. Cllr. Elliot seconded the proposal which was carried unanimously. (Vote 7 For. 0 Against. 0 Abstentions).

887. TO RECEIVE CORRESPONDENCE

Correspondence Received 19th December 2012 – 18th January 2013

1. DCC – Leaflet 'Travelling in Winter'
2. SW Highways/DCC – Road Closure Bailey Gardens 12-13 March (see Dec. 12 Minutes)
3. **SLCC – Parishes not to be capped 2013/2014**
4. Rural Services – press release re. government cuts council funding (**circulated to Cllrs**).
5. TTVS – Parks & Play Areas forum 23rd January (**circulated to Cllrs**)
6. Jude Cook Camborne Energy – Planning application delay (**circulated to Cllrs**)
7. **M. Norton TDC – Precept details 2013/2014, reckoner and form (see precept file) (circulated to Cllrs)**
8. **T. Curtis DCC Highways – reply re. query on 30mph speed signs (circulated to Cllrs)**
9. **T. Curtis, possible solution to water at Newacott Cross B3254 (to S. Phillips) and the BT post causing vehicles broken mirrors (circulated to Cllrs)**
10. **South West Water – Future Outlook 25 years 2015 – 2040**
11. DCC – newsletter dated December 2012 (received 9th January) – emergency management
12. Rural Services newsletter (**circulated to Cllrs**)
13. Clerks & Councils Direct – January edition

The Highlighted items were brought to Councillors' attention.

Correspondence Sent – 19th December 2012 – 18th January 2013

1. S. Phillips – DCC Highways – speed signs and water on B3254 (see mins. Dec. 2012)
2. DCC internet reporting – water flooding road to Borough Cross
3. T. Curtis – potholes/road Furze Cross (**circulated to Cllrs**)
4. T. Curtis – progress of work re. flooding at Linthan Borough Cross (**circulated to Cllrs**)

The Highlighted items were brought to Councillors' attention.

888. CHAIRMAN'S REPORT

Cllr. James reiterated his advice (made in the Meeting of the Full Council held on 19th December 2012) that if Cllrs. receive any complaints, from residents, on any subject the complainant should be advised to write to Mr. Ken Miles, Solicitor, TDC.

He informed the Meeting that Ian Sorenson, DCC, is dealing with the proposed pavement/crossing at Canal Rise, which at the moment is a grass bank.

Cllr. James explained that TDC's Local Plan is in the process of being developed. It would appear that Bridgerule will be allowed development of 5% over 5 years. He will keep Cllrs. informed as the Plan proceeds.

889. CLERK'S REPORT

The PC had investigated noticeboards. She enquired as to whether the Council would like a wall mounted or a 'standing' noticeboard. It was agreed wall mounted, to be placed outside the Hall. The PC was instructed to order the largest size she could get for an amount of no more than £500.

890. EXCHANGE OF INFORMATION

Cllr. McDougall informed the Meeting that the Neighbourhood Watch Co-ordinators' AGM will take place on 10th April at Holsworthy Football Club 7.00 p.m. for 7.15 p.m.

Cllr. McDougall informed the Meeting that he believed Mr. Derek Hilleard will stand for election as a DCC County Councillor this year.

Cllr. Medland reported on parking at the School, near the 'chevrons', which is dangerous to both pedestrians and vehicles. This is when children are being dropped off and picked up at the School. After discussion, the PC was instructed to contact PCSO Bray to ascertain the legalities of the 'chevron' signage and also to write to the Head teacher at the School, asking if she could draw the dangers to parents' attention, and once a reply is received from the PCSO, to let the Head teacher have a copy of the reply.

891. CLOSE

There being no further items of business the Chairman thanked all present for their attendance and declared the Meeting closed at 9.30 p.m.

Signature Date