Draft for approval

BRAMHAM PARISH COUNCIL

Minutes of the meeting held Wednesday 2 January 2013
Present: Cllrs: Whitbread (Chair),Batt, Blanchard ,Halliday, Jones and Innocent
Others: 3 residents and PCSO B Ewart
In attendance M Lynch (Clerk)

Public Session**. (1)** A resident queried the expenditure of £1k on legal advice. The Chair advised that the PC had approved expenditure of up to £1k in order to secure the services of a property lawyer in order to resolve issues relating to the playing field lease. Whilst soilocitors had now been appointed no expenditure had been incurred so date. (**2**) In response to a resident's query as to the proposed consultation on the future use of the Playing Field, Cllr Innocent confirmed that the BSLA and other parties with an interest in the playing field would be involved. The BSLA had yet to reply to the PC's invitation, but once received a 'brainstorming session would be arranged**.(3)** A resident raised a number of concerns about the option agreement (i) Cllr Procter's assertion at the May meeting that following the PC's resolution to pay £108k to the BSLA he would secure payment very quickly,(ii) an apparent conflict of interest in that it appeared that he was negotiating money which would benefit an organisation of which he was a Director. In response the Chair agreed that the resident's recollection was correct and it was disappointing that the money had not yet been paid. Cllr Innocent added that as a Director, Cllr Procter would not benefit personally. The resident also raised concerns the BSLA are no longer a village organisation and have not involved sport groups in their plans for the pavilion. Cllr Jones suggested contacting the BSLA via their website. Another resident expressed the view that the money would not be paid until due diligence was completed but it appeared that the Council was putting obstacles in the way. The Chair refuted this and advised that the PC was still awaiting financial information which the BSLA had been asked for on Nov 30. The PC has a duty to ensure that there is an audit trail for all expenditure and therefore must know the purpose of any grant awarded.

1. Apologies for Absence – Cllrs Henderson & Mackie
   Not present: Cllr Rhodes
2. Disclosure of disclosable pecuniary interests or declaration of any other significant interests which may be in the public interest – Cllr Blanchard – item 21
3. **Resolved**: to exclude public and press due to confidential nature of agenda item 20: moved Cllr Whitbread, seconded Cllr Halliday
4. Police matters: December : I report of criminal damage
5. Minutes of Council Meeting held on 12 December 2012 accepted as a true record: moved Cllr Whitbread, seconded Cllr Blanchard
6. Clerk's Report. (**i)**The Clerk advised that LCC had refused the request for street signage for Lyndon Mews and Bramham Lodge. This was the responsibility of the developer. However as both developers were now in administration the Clerk was asked to contact LCC to find out the cost of the signage and also to confirm whether this would be a legitimate use of the precept**. (ii)** To date no response to request for a Snow Champion (iii) Free bus travel for Job Seekers during January **(iv)** LCC encouraging Cllrs to attend New Standards Training – Cllrs to advise the Clerk if interested in attending an evening session **(v)** LCC to deal with overhanging trees on footpath adjacent to the playing field. Cllr Innocent confirmed that he had spoken to the

householder.**(vi)**Proposed changes to bus service – public drop in session **Friday 18 Jan .10-2pm Tesco Seacroft**. Details to be placed on PC notice board and website. Clerk to attend stakeholder session 21 Jan.
(vii) Cllr Henderson's training 'Becoming an Employer' **approved.(vii)** Police have advised that bus parked on Bowcliffe Rd is not causing an obstruction and therefore cannot take action **(viii)** Letter received from Mr Peter Stevenson regarding issues relating to the playing field**.** The letter had been received in October 2011 but a reply had never been sent. The letter raised some issues which would be discussed under item 20. The Clerk was asked to send a holding reply which should include an apology for the disregard of the original letter.

7. Planning Matters: the following noted:
   11/02762/L1 – Carlton House Tenter Hill, 06/00769/N1490 – Electricity substation – conditions 2/3/4/6/8/7/10/11/12
8. Neighbourhood Plan – nothing further to report since December meeting.
9. Response to government consultation on the speed limit for HGV's over 7.5 tonnes on single carriageway roads: **Resolved**: to accept Cllr Batt's proposed submission. Moved: Cllr Whitbread seconded Cllr Halliday. In addition the PC noted that Clifford PC had agreed to work with BPC on a campaign to reduce the speed limit by Bramham School. The Clerk suggested that solar powered signs encouraging motorists to slow down be considered for appropriate locations in the village. **NB**: the PC's submission may be viewed on:ThisisBramham.co.uk
10. The Government's decision on capping of the Precept and related matters. It was noted that the Government does not propose to cap Parish Council expenditure for the 2013/14 financial year although this may not apply in future years.
11. Change of name of the 'Old People's Shelter. Following a request by a regular user of the Shelter for a change of name to something less ageist, Cllr Blanchard had spoken to other users and a number of other older residents. There appeared to be agreement that users do find the name offensive. Whilst Councillors were sympathetic any change of name would need to take account of the fact that the shelter is for the use of retired or older residents. **Resolved** to: Consult on the name change by placing a suggestion box in the Village Shop, via the website and the Parish Magazine. Moved; Cllr Innocent, seconded Cllr Jones
12. Update on the Option agreement. The Clerk had circulated the correspondence from LCC which unfortunately did not offer any clarity as to the intentions of LCC .It appeared that the trigger to the option agreement and the payment of the £250k to the PC were being blocked .Councillors came to the view that the money would not be released until the PC had completed due diligence. However, the PC could not complete this until the BSLA provided financial information which had been requested on 30 November. The Clerk advised that the PC did not appear to have copies of all correspondence relating to the extension of the option agreement in 2010. Nor did there appear to be a Council resolution accepting an increased offer from LCC of £250k. Cllr Innocent offered to contact former Councillor Bob Gibson to see if he has any correspondence. Failing that the Clerk would contact LCC.
13. To receive an update from the BSLA. Cllr Blanchard tabled an update received from the Build Committee. The BSLA advised that they are unable to provide the additional financial information as requested by the PC on 30 Nov and that the PC should complete due diligence based on information previously submitted. The Chair responded by saying that based on the information received the PC would not be in a position to complete due diligence. Secondly, the BSLA is not in a position to maintain fund raising until due

diligence is completed and the issue relating to the lease is resolved. The Build Committee had not received a copy of the LCC update on the option agreement. The Clerk confirmed that this had been sent to Mr Nick Lane Fox. In addition, the BSLA advised that they would prefer a Monday evening for a brain storming session on the playing field. Finally Cllr Jones advised that details of the proposed tree planting could be found on LCC's Planning website. It was agreed that planting should be considered during the brain storming session.

14. 5 year rent reviews. The Clerk advised that 5 year rent reviews are due in February/March with increases effective 1 April 2013. Unfortunately the Clerk at the time of the last review in 2008 feels unable to offer any advice as to how this has been done previously. The Clerk will therefore research the matter further and report back to the February meeting.
15. Play area matters: The annual inspection report has been received and Cllr Blanchard agreed to organise a meeting of the Play Area subcommittee to discuss the content and to report back to the next council meeting.
16. Playing Field waste collection: **Resolved**: to cancel contract with AWM annual cost approx £280) and to purchase a LCC waste bin for the playing field at a one off cost of £360 plus VAT. The Clerk would continue the search for a contractor to remove the remains of the burnt out AWM bin (hazardous waste).
17. Update on arrangements for the Leeds Festival 2013 – deferred until next meeting
18. Plans for the Tour de France 2014 – deferred until next meeting
19. Quarterly financial report: the Clerk advised the meeting that apart from the payments agreed at the December meeting the only other change to note during December was the increase in receipts. A reimbursement from the Community Fund of £393.84 in respect of archive had been received.
20. Legal advice received in respect of the Playing Field Lease. The Chair advised the meeting that following a review of the lease hlw Keeble Hawson had confirmed that they shared Ware & Kay's view that there had not been an automatic transfer of the lease to the 'new' BSLA. However, there appeared to be more fundamental issues relating to the lease which should be addressed. Following discussion it was **Resolved that**: (i) an EGM be held on 16 January to formulate a proposal to put to the BSLA (ii) a copy of the letter received from hlw Keeble Hawson be sent to the directors of the BSLA and (iii) Cllr Innocent should speak to Nick Lane Fox in an attempt to secure the information which would enable the PC to complete due diligence.
21. Financial Matters

    The following accounts were passed for payment:

YLCA (training)	70.00
Village Hall	24.00
HMRC	190.60
Clerk's remuneration	199.90
Caretaker	23.52
Cleaner	23.52
Gardener	23.52
Chairman's Allowance	15.00

22. Date and time of next meeting 7.30 pm Wednesday 6 February 2013 Old People's Shelter
23. Minor items and items for the next agenda
    - Potholes in Bowcliffe Road – Clerk to contact LCC
    - Request for litter bin Paradise Way – deferred to next meeting

- Allotment rat infestation – Cllr Blanchard to obtain more details
- Clerk reminded members of the Finance Committee that the annual risk assessment was due in February as well as an inspection of the accounts
- Maureen Brewer (unable to attend Dec meeting) to be invited to the March meeting .Meeting to be held in the Village Hall.