

Bramham Parish Council

Minutes of the meeting held Wednesday 05 March 2014

Present: Cllrs: Whitbread (Chair), Halliday, Henderson, Jones, Innocent and Mackie.

Others: 8 residents

In attendance: M Lynch (Clerk),

Public Session: (i) A resident wished to share with the PC her parent's experience of buying a house adjacent to a playing field which had been leased to a sports club for 99 years. Despite assurances that such a lease would protect the field from development, when the sports club found themselves in financial difficulty the field had been sold for a housing development. She urged the PC to grant the tightest of lease possible in order to protect the playing field for the village. Cllr Innocent commented that the playing field is subject to a covenant which should protect its long term use for recreational purposes. (ii) Because of the possibility that the press & public could be excluded for item 23, a resident asked if some background could be given as to why financial assistance for the pavilion was to be considered. Cllr Innocent confirmed that he had asked for the proposal to be an agenda item. Following a conversation Moira Pool & Alan Jones he was aware that Pavilion interior was deteriorating and that they thought the security of the building would be improved if it was monitored. In answer to a residents question as to whether the Pavilion had heating, Cllr Innocent said yes but that the BSLA had no money. Another resident that whilst £3k might provide the BT connection, a monitoring system would incur ongoing costs. Also given the low level of risk to the building did that warrant expenditure of £3k? The Chair agreed to cover those points during the discussion on item 23.

1. Apologies for absence – None
2. Disclosure of disclosable pecuniary interests or declaration of any other significant interests which may be in the public interest. None. However, the Chair drew Cllr Jones attention to agenda item 23 and his declaration at the EM of 23 April 2013, that Ward Cllrs were advising him on PC matters. Because item 23 concerned a Director of the BSLA but who is also a Ward Councillor whether he wished to declare his relationship with that individual. Cllr Jones advised that Ward Cllrs were no longer advising him on PC matters.
3. Exclusion of the press and public. It was **Resolved** to not exclude the press and public from item (23) on the grounds that this item would not involve a discussion of privileged legal advice and that the item should be moved to follow item 7 moved Cllr Innocent, seconded Cllr Mackie. However it was resolved to exclude the press and public from item (24) because it concerned discussion on possible changes to a Parish Council leasehold moved Cllr Whitbread, seconded Cllr Innocent; and item (25) which related to potential legal action leading to debt recovery. Moved: Cllr Whitbread seconded Cllr Henderson
4. Police matters. The police representative did not attend so no matters were discussed.
5. Minutes of the meeting held 5 February January 2014 approved as a true record subject to the following amendments: (item 6) Correspondence from a resident advising designation of the Bramham House site as a UK Biodiversity Action Plan Deciduous Woodland Priority Habitat noted be amended to: Correspondence from a resident reporting the designation of the Bramham House site as UK Biodiversity Action Plan Deciduous Woodland Priority Habitat noted and item 18(ii) Cllr Mackie's expenses amended from £45 to £46.14. Moved Cllr Whitbread, seconded Cllr Henderson.
6. 6. Clerks Report. Correspondence: (i) Request for amendment to the minutes of 5 Feb agreed under item 5. (ii) Cllrs agreed to post the request for land search from the Laneside Trust Charity to the website (iii) Reply to Mr S Kitchen re the Pavilion and other matters approved (iv) Request for financial assistance from Clifford Pre School declined (iv) Cllr Mackie agreed to contact Sophie Wright (v) Reply to Mrs Heaton re the wood yard, floodlighting the War Memorial and the condition of Bowcliffe Rd approved. In addition Cllr Innocent urged residents to report pot holes via LCC's website – the more that do it the better; (vi) Clerk's correspondence with Steve Cooper re the posting of the annual counts

and the annual report for 13/14 noted; (vii) Correspondence from Colin Pool regarding the proposed restriction on CF contribution to the festival bus to be discussed under item 12.

7. Correspondence not considered under the Clerk's report.. The Clerk had circulated a late item from Mr Tony Cusens regarding letters from Stephen Kitchen and Paul Topping which had been published in the Parish Magazine. The Clerk was asked to copy the relevant section of the PC's reply to Mr Kitchen to Mr Cusens. However the PC declined to comment on his suggestion regarding the views of Mr Topping which concerned Cllr Procter. Cllrs expressed frustration about the continuing perception that the BSLA is a 'village club'. Also that some residents do not appear to understand that the PC is going through a necessary legal process in order to resolve the situation regarding the lease. Some residents do not acknowledge what the PC has published about the truth of the situation with the BSLA.
ITEM 23 Payment of Pavilion utility costs and the release of £3k for the installation of telephone line to the Pavilion. Before inviting Cllr Innocent to introduce this item, Cllr Whitbread stressed that discussion of financial assistance and the possibility of releasing some of the funds ring fenced for completion of the Pavilion did not change the PC's position regarding the lease as communicated to residents via the website and also in the current edition of the Parish magazine. She proposed that following Cllr Innocent's contribution she would invite Cllrs to consider the proposals within the context of advice received from the YLCA as to the PC's powers to support the proposed expenditure and to look at the pros and cons of the proposal. The advice from the PC's solicitors should also be considered. Cllr Innocent stated that he was fully supportive of the PC's resolution of 5 Feb and fully accepts the legal position regarding the lease. Following a conversation with Moira Pool & Alan Jones at the Community Conference he had visited the Pavilion & could confirm that the condition of the building is poor. Damp and mould were present and doors were warped. The BSLA had no funds and could not afford to heat the building. His aim was to prevent further deterioration so that when the PC took over in May there would be less damage to address. With regard to the BT line that would enable the building to be monitored thereby improving security. However, he was not proposing that the PC should hand over funds directly to the BSLA but should pay the quarterly utility bills directly until the end of May. He proposed that the cost of the BT line be met from the ring fenced options monies. He added that the BSLA Trustees had extended an invitation to the PC to visit the Pavilion. It became clear during the discussion as to the pros and cons of the proposal that Cllrs whilst supportive of Cllr Innocent's intention to protect the Pavilion they were not convinced that putting heat on would be the best course of action; it might make the problems worse. There was also some concern about this course of action with only 85 days to go to the 30 May. Turning to the advice received from the YLCA Cllr Whitbread noted that financial assistance could only be offered as a grant or loan to the BSLA, and that this would have to be met from Council reserves. This advice regarding Powers unfortunately ruled out Cllr Innocent's proposal that utility bills be paid directly by the PC. Payment of a grant to the BSLA raised other financial implications in that if the situation regarding the lease was not resolved by 30 May, the PC could incur an ongoing liability. Also there could be outstanding financial liabilities unknown to the PC which could result in any grant paid to the BSLA being used for other purposes. It could even lead to other claims for payment against the PC. For these reasons the PC's solicitors had advised against making any payments to or on behalf of the BSLA. Some concern was also expressed at the apparent lack of fund raising by the BSLA over the last 2 years. With regard to the Trustees invitation to the PC Cllr Henderson wished to know what had changed since previous requests by the PC had been refused on the grounds of health & safety. Cllr Whitbread added that any invitation should be made to the Clerk. In light of the discussion and the advice from the YLCA and the PC's solicitors, Cllr Innocent withdrew the proposal.
8. Planning Matters: Approval: 13/04567/FU Change of use to form non – residential institution (D1) and Hycilla Cottage from office (B1) to form house (C3) Bowcliffe Hall; 13/05642/FU Alterations including extension etc High Toynton Vicarage Lane – noted. Application: 14/008/00FU 5 Crag Gardens new canopy with pitched roof over entrance door & front bay window – no comment. In addition Cllr Innocent advised that he had received an apology

from LCC over their failure to consult with the PC from the outset on the proposed anaerobic digester at Wothersome Grange.

9. Neighbourhood Plan update. Cllr Innocent commented on the good response from the Community event 7/8 Feb. Ian MacKay from LCC would be attending the next meeting of the NPG to help the group move to the next stage of the NP. He added that it would be useful to have a group member with market research skills.
10. Report on 7/8 Feb event Cllr Whitbread advised that there had been good feedback regarding priorities for grant assistance from the option monies. Priorities appeared to be: the play area, Village Hall, the former Caretaker's cottage and completion of the Pavilion but with the protection of the playing field. This would be taken into account when grant applications were considered. Overall, people had thought it a worthwhile event.
11. Tender specification for the refurbishment of the play area and other matters. Tender specification approved and expenditure of £237 for mole clearance approved. Moved Cllr Henderson, seconded Cllr Whitbread.
12. 2014 Leeds Festival Arrangements Cllr Henderson confirmed that the 2014 application form had been completed. Cllr Innocent agreed to print. However Cllr Henderson raised the issue of the cap of £1000 which had been set by the secretary to the Community Fund on the CF contribution to the cost of the festival shuttle bus – this would leave a potential shortfall of approx £800. Cllrs agreed that it was unacceptable that the PC should be expected to either make up the shortfall or apply to the CF for a grant. It was **Resolved** that the Clerk should write to Melvin Benn (copied to Nick Lane Fox and Jamie Newsome Smith) as agreed. Moved: Cllr Henderson, seconded Cllr Whitbread
13. APM arrangements 9 April 2014 It was **Resolved** that subject to a check of Standing Orders, the APM would commence at 7pm Wednesday 9 April 2014 moved Cllr Mackie seconded Cllr Whitbread
14. Upgrade of the website - deferred
15. Report from the Annual Meeting of the Parish & Town Council forum. Unfortunately Cllr Whitbread had been unable to attend and asked the Clerk to circulate the minutes of the meeting to other Councillors.
16. 16 Speed reduction measures Cllr Innocent agreed to pursue a speed awareness event to be organised in conjunction with Bramham Primary School. If LCC would not accept the case for speed reduction measures close the school the PC would consider installing its own speed awareness signs.
17. The appointment of an internal auditor. It was **Resolved** that Pam Harrison be appointed as internal auditor at an approximate cost of £100. Moved Cllr Whitbread seconded Cllr Halliday
18. Consultation on the Openness of the Local Govt Bodies Regulations 2014. Cllrs expressed the following concerns about the proposals to allow the recording of PC meetings and the circulation of recordings via social media. Cllr Innocent remarked that it looked as though the changes would go ahead regardless of the outcome of the consultation. The Clerk was asked to submit the following to the YLCA: (i) The filming & recording of meetings may well reduce people standing as Cllrs; (ii) it could reduce contributions from both Cllrs and the public (iii) Technology would leave recordings open to abuse by 3rd parties (iv) PC would have to consider making own recordings in order to challenge misrepresentation this had cost, storage & possibly DPA implications.
19. The future of the Bramham Community Action Group and the Gala. Cllr Innocent reported that only he and another member of the CAG had attended the AGM and it had not been possible to fill officer positions. He expressed concern that without more support from residents that the future of the group & in turn the gala was in doubt. He acknowledged that because of the name there might be some confusion with the Community Fund. Numbers attending had been down last year and in order to reduce costs the gala gig had been cancelled and the gala shortened to 4hrs between noon & 4pm. He added that a list of stalls was available & he asked residents to contact him or to attend the next CAG meeting on Weds 19 March in the Senior Citizen's Shelter.

20. Financial Matters(i) Bank reconciliation for Feb 2014 noted.(ii) Invoice from Peter Collier for new electric heater & light fitting –Senior Citizen’s Shelter retrospective approval £394.26 and £ 50 plus VAT respectively (iii) the following accounts were approved for payment:

Clerk’s remuneration	£201.90
Clerks expenses	83.00
Caretaker remuneration	24.25
Cleaner remuneration	24.25
Gardener remuneration	24.25
Village Hall	108.00
Neil Ferres (Reimbursement of 7/8 Feb Costs)	7.99
PC Contribution to All Saints Parish Church	275.00
hlw Keeble Hawson	900.00
DHP Croft (valuation fee)	120.00

21. Minor items & items for the next agenda

- Closure of Headley Lane to be posted to the PC website and included in the PC update in the Parish Magazine. The clerk was asked to invite National Grid to attend a PC meeting and provide an update on progress of the work to the grid.
- Cllr Whitbread confirmed that the notice board had been repaired at a cost of £65. Clerk had approved the expenditure as less than £100.
- Residents to be reassured that registering for Superfast Broadband is not a scam
- Cllr Whitbread advised that the Parish Magazine is looking for a deputy editor with good IT Skills. Could anyone interested please contact a Councillor or the editor Gill Young?
- The Parish Church would welcome ideas from residents as to how community engagement could be more developed
- Cllr Henderson that the regular inspection of accounts had been completed satisfactorily. Also the risk assessment had been completed
- Cllr Jones agreed to liaise with Frank & Artie regarding the siting & installation of the WW1 commemoration bench in the Senior Citizen’s garden
- Cllr Mackie expressed concerned that learner HGV drivers appear to be damaging verges on Tenter Hill – but it was acknowledged that little could be done to prevent that happening
- Cllr Innocent confirmed that all the benches had been inspected & that he would agree a list of work with Frank Wood.
- On behalf Mr Farndale, Cllr Jones thanked the PC for organising the installation of the 2 dropped kerbs. However he asked if something could be done to restrict parking outside the shop so that the existing dripped kerb could be used by residents with mobility issues. The Clerk agreed to speak to the shop owner about the possibility of asking LCC to install a white line and then to contact LCC.
- VH Committee to be advised that grant applications for the hall and cottage should be separate applications.

22. Dates & times of future meetings APM 7pm (tbc) Weds 9 April Village Hall and 7.30pm Wednesday 7 May 2014 Senior Citizens Shelter.

23. Moved to after item 7 above

24. Alms House Hill Lease It was **Resolved** to offer a revised lease on the terms discussed subject to the leaseholder meeting the PC’s legal costs and an increase in rent. Moved Cllr Innocent, seconded Cllr Whitbread

25. Update on debt recovery Cllrs agreed that the offer of £250 in full and final settlement was insufficient. The Clerk was asked to have a ‘without prejudice’ conversation with the other party’s solicitor with a view to receiving an improved settlement figure.