

ARLINGHAM PARISH COUNCIL

Minutes of the meeting held in the Village Hall on 7th November 2016

Present:

J. Burcher, D Merrett, N Rowntree, J Shaw (Chairman), K Withers and J Wilkinson

Also County Cllr T Blackburn, District Cllr J Jones and there was 1 member of the public.

29-0/16 Parishioners' Forum –

Graham Tucker, Chairman of the Village Hall Committee addressed the meeting stating that the previous Victory Hall Management Committee had identified that the Title to the Hall had been lost over the years and that it was not registered in the Land Registry. In a meeting to discuss this issue in the summer it was suggested that the PC would be a good candidate for the role of Holding Trustee for the Title of the Hall. This proposal was put to the PC in September, with the decision that the Parish Council agreed in principle to perform this role but requested more information on the potential liabilities that the PC could be exposed to.

The outcome of some months' investigation is that Charity Trustees of an unincorporated charity, such as the Arlingham Victory Hall, have potential unlimited liability, both jointly and severally in a number of situations. Whilst it is true that the situations under which this may occur are unlikely, the potential remains. Whilst this may affect Parish Council's position, it is also of concern to the Management Committee of the Village Hall, all of whom are Trustees. For this reason, it is the plan of the Village Hall Management Committee to convert the current unincorporated charity into a Charitable Incorporated Organisation (CIO) as soon as the question of Title is resolved. As a CIO the Charity is able to hold the Title under limited liability, similar to a Limited Company. In this event, the request made to the PC to hold the Title would only need to be held for the matter of months until the CIO was formed. During the investigations contact has been made with a number of organisations and it has become apparent that the most pragmatic approach to this problem, which has in the past beset many Village Halls, is to make use of a service developed for such a situation. The service is free, and can be used to register Title without a Land Registry number where there is clear evidence that the charity owns the property - this has been obtained over the past months via the means of Statements of Truth. The service is termed the Official Custodian, is free to use and is operated by the Charities Commission. We have also been advised that the lowest cost way to achieve CIO status is the use of a model form of trust deed and that the model form is tailored for the structure with the title held by the Official Custodian, although the Title can be vested in an alternative organisation on request.

As such the VH Management Committee believes that the most pragmatic way to resolve this issue is apply for registration with the Official Custodian.

Graham Tucker thanked the Parish Council and the current Holding Trustees for their interest and support in this matter.

30-1/16 Apologies

Apologies were received from Cllr M Smith-Lyons, the Clerk Sheila Murray, and District Cllr S Davies.

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31-2/16 Minutes The minutes of the meeting held on the 3rd October 2016 were approved as a true record and signed by the Chairman on behalf of the Council.

32-3/16 Declaration of members' interest –

Cllr Merrett declared an interest in agenda item 7 (second item of planning).

Cllr Withers declared an interest in agenda item 14.

Cllrs Burcher, Merrett and Shaw declared a personal and non-pecuniary interest in agenda item 15.

33-4/16 Playground

Cllr Merrett updated the Council on the visit by the County Council to the playground to evaluate the success of its grant aid for this project.

Cllr Wilkinson responded to the safety inspection by District Cllr J Jones, advising that the advice would be taken on board in future improvement planning.

34-5/16 Parish Assets & Amenities

All parish councillors are a member of one of the four work-stream groups. Outdoor space group first meets this week and indoor space group first meets in two weeks' time

35-6/16 Arlingham Roads

Cllr Merrett asked that the Clerk be asked to report fly-tipping of garden waste and plastic bags in Overton Lane, near the entrance to Wick Court.

Cllr Burcher reported that a Severn Way post opposite Westbury Cliff. The County Council has provided a replacement post which Cllr Burcher, as landowner, will arrange to be fitted.

36-7/16 Planning Matters

Old School, High Street, retrospective application for listed building consent for the installation of uPVC windows. Proposed by Cllr Merrett, seconded by Cllr Withers that the parish council responds to state that it has no observations. This was agreed by a majority vote.

Westend Farm, Church Road – erection of new improved toilet facilities on campsite. Cllr Wilkinson proposed that the Parish Council support the application. Seconded by Cllr Rowntree and unanimously agreed.

Ecotricity application at Eastington – deferred to December meeting.

37-8/16 Correspondence – None

38-9/16 Finance

38-9.1 Financial Update

The Clerk tabled a monthly performance sheet for November 2016 with year to date variances to budget. The total closing bank balance £5,490.71 including un-cleared cheques. The balance of the precept payment £1,681.50 had been received in the Parish Council's bank account.

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38-9.2 Budget 2017/18

Proposed budget prepared by the Clerk in consultation with the Chair was considered. Following questions and debate the 2017/18 budget was confirmed with one amendment that the increase in that the parish precept for 2017/18 shall be 2%. Proposed by Cllr Shaw and agreed unanimously.

39-10/16 Action Log

39-10.1 - Website Cllr Rowntree confirmed he was progressing well in test with the new website due to go live in December or January. Councillors' details and a photo were requested. It was suggested that photos used for the election might be usable.

39-10.2 – Playground Cllr Wilkinson reported that the PCC reported that they could not locate their copy of the lease of the Playground. The clerk is requested to check the Parish Council records for a copy.

40-11/16 County & District Councillors Report

County Cllr Tony Blackburn reported that Fastershire Phase 2 was out to tender. Extent of future fibre broadband coverage to be confirmed once the tenders have been evaluated.

A traffic survey has been undertaken on the A38/Perryway junction. Results to be evaluated and may lead to further consideration of traffic lights at this junction.

A consultation is taking place in relation to post office facilities in Frampton on Severn.

District Councillor John Jones reported from the SDC Council meeting of 27th October 2016.

- Results of an independent survey showed that 80% of residents and 70% of businesses were satisfied with SDC. These are the best results ever from this annual survey.
- A motion was carried to stop Gloucestershire Local Government Pension Fund from investing in fossil fuel companies.
- The NHS Trusts Hospital and Maternity services at Stroud Hospital could experience cuts due to a budget mismanagement by a deficit at Glos NHS Trust. The SDC amended wording for a motion "to seek reassurance from the NHS Trust that services in Stroud will not be compromised because of the deficit".
- SDC propose to write to the Independent Boundary Commission on the review of the Parliamentary Boundaries in their area. Additionally they proposed to bring in Proportional Representation.

41-12/16 Councillors' submissions

41-12.1 Cllr Burcher expressed concern about the poor service being provided by the South West Ambulance Service Trust.

41.12.2. Cllr Shaw reminded councillors that if any had the clerk's personal email address that it should not be disclosed to parishioners.

41-12.3. It was agreed that Cllr Rowntree would support the clerk with the development of the Parish Council newsletter for the December edition. Article to

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include information from Cllr Withers on Fastershire and appealing to parishioners without access to fibre broadband to let Cllr Withers know their landline number in order that progress can be checked.

42-13/16 Severn Voice Update.

Key issues were School Admissions and Verge Mowing (both on agenda separately), Ambulance Service performance with SWAST to be invited to next Severn Voice and Sandfield Canal bridge automation trial where teething problems appear to persist.

43-14/16 Proposal by Lakefield School to adopt new Admissions policy. Cllr Withers introduced this proposal and took questions prior to withdrawing for the debate and decision. Proposed by Cllr Wilkinson and seconded by Cllr Rowntree that the Clerk respond to the consultation expressing the Parish Council's support for the proposals.

44-15/16 Verge Cutting Proposals.

Cllr Shaw introduced the Severn Voice paper on this initiative. It was proposed by Cllr Burcher and seconded by Cllr Merrett and unanimously agreed that the Parish Council:

1. Accept in principle the County Council's offer
2. Approve a procurement route of negotiated open book tender with a single provider as a one year pilot.

Decision 2 above is subject to a decision early in 2017 on the actual terms/price negotiated.

The Clerk was asked to notify the County Council of decision 1 above (for which a template from Severn Voice has been provided).

There being no further business the meeting closed at 9.40pm