

## HOPTON AND COTON PARISH COUNCIL

### MINUTES OF THE (VIRTUAL) ORDINARY COUNCIL MEETING ON 21.10.20 AT 7.30 p.m.

The meeting began with a presentation by a local resident called: **High Speed Internet for a High Speed Rail Community**". The resident has discovered that there is now an opportunity to get high speed broadband into everyone's home in Hopton Village and he explained how this could be done and what HS2 would have to do when they divert the utilities in late 2021

Please see agenda item 20/170 to see how the council reacted to this presentation

**Public Participation:** one member of the public was present

**Present:** Cllr Gilbert (chair), Cllr Brindley, Cllr Rogers, Cllr Turner, Cllr Wood

**20/161 To receive apologies:** Apologies were received from Cllr Wilkinson, Cllr Brown-Bullivant and Borough Councillors Beatty and Harp.

**20/162 To receive Declarations of Interest:** There were no Declarations

**20/163 To consider requests for Dispensations under the Localism Act 2011:** There were no requests for Dispensations

**20/164 To consider and agree the minutes of the ordinary meeting on 9.9.20:** It was RESOLVED to accept the minutes. PROPOSED by Cllr Rogers. SECONDED by Cllr Brindley

**20/165 To consider the Clerk's Report:** the Clerk's Report was noted

**20/166 To consider an update from a Borough Councillor:** no Borough Councillor was present

**20/167 To consider an update from the County Councillor:** the County Councillor was not present

**20/168 To consider the LEASE which the parish council will offer the village hall committee:** This took up a lot of time and the results of the discussion are tabulated at the end of these minutes. It is important to note three things:

1. In the Preliminary Heads of Terms / Agreement I have added a few phrases to what people said, for completeness (nothing controversial) My additions are in capital letters
2. In number 3 of the Preliminary Heads of Terms / Agreement where it states that the parish council is going to be responsible for the village hall, car park etc. the Parish Councillors who made that decision are going against the advice of the Charity Commission and of the Internal Auditor (whose comments the Assistant Clerk reminded everyone of before the decision was made) In addition I will be asking Wellers Hedley to comment on this decision.
3. We need to think of when the Preliminary Heads of Terms / Agreement should be sent to the solicitor. Should they be sent now/ after the HPC meeting on 25.11.20?

**20/169 To consider progress on previous council decisions and resolutions:**

**20/106 To consider how to respond to the issue of speeding along Wilmore Hill Lane (WHL):** Cllr Francis was contacted in early September about the speeding and overgrown hedges on WHL. He said that he would talk to AMEY about these issues No response has been forthcoming. The Chairman said that he would contact him

**20/108 (1)Two gullies which flooded recently and which had been previously flushed out:** We are still waiting for a senior inspector to come and look at this

**20/108 (2) An overgrown hedge between Kings Drive and Lower Lane and related issues:** There are overgrown verges and hedges on Wilmore Hill Lane.(WHL)

“Highways” have said that there is a new initiative to cut these back and that WHL is on their list of areas to be dealt with. It was decided that if this had not been done by mid-November, the Clerk is to chase them up.

**20/170 To consider how to react to the resident’s presentation on increased broadband speed in the village:** The Clerk should canvass HS2 to gain their opinion as to how they can support us by looking at “The Voucher Scheme”. This would probably involve moving the box to the other side of the line. The resident recommended “Fibre Direct” – it costs a little more but you get a lot more for your money. The more people who sign up to it, the cheaper it is. The Clerk should also ask HS2 as a landlord, if they would be interested in having it installed in their properties.

**20/171 To consider if Councillors are still happy for their phone numbers to be on the web site. (if not, then perhaps we could consider obtaining an email account with Vision ICT at a cost of £25 per Councillor as Cllrs need to remain contactable):** There was a decision that Councillors should set up an alternative email address, purely for their council work and when they have done so, they should contact the Clerk and she will start using their new email.

**20/172 To consider a request to return to face to face meetings:**It was decided that there was no real need to have face to face meetings at the moment

**20/173 To consider the recent resurfacing of WHL and Within Lane:** this was a really bad job because the method used did not take into account that there were pot holes and gullies. Consequently, both of those features were “filled in”. It was agreed that the Clerk should inform highways of HPC’s opinion

**20/174 To consider HPC’s response to the Government’s White Paper on Planning:** The Clerk reminded everyone what the three “pillars” of the White Paper meant. It was agreed that the Clerk should use one of the many responses that she has already received from various organisations, adapted for Hopton’s circumstances, when she responds to the White Paper on behalf of HPC

**20/175 To consider an update from the Chairman of the Village Hall Committee:**The Chairman said that he had been researching the price of screens for the internet booths that the village hall committee intend to set up

**20/176 To consider progress with the Local Needs Survey:** the Assistant Clerk said that he had now set up a data base which will make it easier to analyse the results. Surveys are still coming in.

**20/177 To consider progress with the Neighbourhood Plan:**The Clerk said that the biggest thing that has happened is that the parish council newsletter and the Neighbourhood Plan questionnaire and business surveys have now been delivered. The newsletter has had a positive reaction by many.

**20/178 To consider an update on the Bovis Homes Estate:**The Clerk said that she had spent the whole Summer trying to contact the various property managers from the management company. In August she sent a list of problems that had been identified at the August parish council meeting and received a holding email only. Since then – nothing. She explained what steps she then took which still resulted in no reply. The Chairman to follow up.

**20/179 To consider HPC’s half-yearly budget review:** it was decided to defer until November

**20/180 To consider progress with applying to NatWest for a Business credit card:** The Assistant Clerk said that this was proving very difficult because NatWest keeps sending forms for the Clerk to

fill in with her own personal details. “Utility” Bank was recommended because they do understand the sector but they may not be accepting any new accounts during the pandemic. The Clerk to do more research into this.

**20/181 To consider planning application 20/33159/FUL:** there were no objections

**20/182 To consider if HPC wants to carry on with a P.O. Box number address:** it was agreed to carry on with but with an appropriate post code

**20/183 To note the correspondence which has come in:** There has been a communication from Staffordshire Police inviting the council to register for regular local crime updates. HPC agreed.

The rest of the meeting was confidential and concerned: the approval of that month’s payments, the noting of Financial Statement 48 the consideration of a local resident’s request to purchase some parish council land: The payments were duly authorised, the statement was noted and a decision was reached as to whether a local resident can purchase some parish council land.

**20/187 To set a date for the next parish council meeting:** the date was set at Wed. 25<sup>th</sup> November

The meeting finished at 10.00 p.m.

### **THE NATURE OF THE LEASE THAT THE PARISH COUNCIL WILL OFFER THE VILLAGE HALL COMMITTEE**

#### **Some preliminary “heads of terms / agreement”**

**The only Councillors that were able to take part in this discussion were those who are not also village hall trustees. This list includes Cllr Paul Gilbert who has resigned from the village hall committee. His post as ex-officio trustee will remain open as long as he is chair of the parish council but cannot be occupied by anyone other than the chair of the parish council. Thus the only Councillors who took part on this discussion were: Cllrs Turner (KT), Wood (SW), Gilbert (PG) and Brindley (LB)**

<b>Item?</b>	<b>Preliminary decision?</b>	<b>Supported by?</b>
1. Which solicitor to use	Wellers Hedley (as recommended by the SLCC)	KT PG SW LB
2. The term of the lease	30 years with a caveat that the lease will automatically come to an end when the new community hub is built	KT PG SW LB
3. The type of LEASE	Not a Full Repairing Lease. Another type which includes the fact that the village hall committee will be responsible for: <ul style="list-style-type: none"> <li>• Security at the hall etc</li> <li>• Dealing with “nuisances”</li> <li>• Internal decoration of the hall (decorate every five to seven years)</li> <li>• Notifying the parish council</li> </ul>	KT PG SW LB  KT PG SW LB

	<p>immediately if any repairs need to be carried out or if they have any projects that they would like to run</p> <ul style="list-style-type: none"> <li>• The day to day running of the hall, car park etc.</li> </ul> <p>The parish council will be responsible for the:</p> <ul style="list-style-type: none"> <li>• Hall</li> <li>• Car park</li> <li>• Trees, hedges, ditch and grass verge</li> <li>• Portacabin</li> <li>• Play area</li> <li>• The grounds which includes a football pitch</li> </ul>	
4. Additional clauses that the parish council would like to include in terms of the way that the hall etc. is run	<ul style="list-style-type: none"> <li>• Village hall meetings should have a seven day notice period except in an emergency</li> <li>• The village hall grounds may be used by members of the public – not just groups that have booked the hall and grounds. WHERE THERE IS A CLASH OF DATES, THE PAYING GROUP SHOULD HAVE PRIORITY?</li> </ul>	KT PG SW LB
5. The amount of rent	Initially a “peppercorn rent” unless the profits of the village hall exceed £10,000	
6. The frequency of rent reviews	Every five years and based on the village hall accounts	KT PG SW LB
7. Will there be a termination clause WHICH SAYS, AMONGST OTHER THINGS, THAT THE LEASE MUST BE HANDED BACK TO THE PARISH COUNCIL, TOTALLY “UNENCUMBERED”?	YES	
8. Does HPC want a property surveyor to help in the preparation of a lease, prior to a solicitor being involved?	No	KT PG SW LB

<p>9. Should there be a “right of access” clause?</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• The parish council should have exclusive use of the meeting room WHEN BOOKED BY THE PARISH COUNCIL.</li> <li>• The parish council should have an office in the village HALL WHICH IS ACCESSIBLE TO THE CLERK(S), COUNCILLORS, VISITING SPEAKERS AND MEMBERS OF THE PUBLIC</li> <li>• All village hall trustees (UNLESS THEY ARE ALSO PARISH COUNCILLORS) should be excluded from the parish council office</li> </ul>	
<p>10. Any other caveats?</p>	<p>Yes.</p> <ul style="list-style-type: none"> <li>• The village hall committee should not be allowed to sell the lease to a third party</li> <li>• The village hall and the parish council should keep separate Asset Registers</li> <li>• The village hall accounts should be audited by a third party (THIS WILL BE ANNUALLY AND BY THE CHARITY COMMISSION)</li> <li>• The village hall cannot carry out any alterations TO THE BUILDING without the consent of the Landlord (PC)</li> <li>• The village hall committee should return the building to the parish council at the end of the lease. THE PARISH COUNCIL WILL THEN HAVE AN OPTION TO RE-LEASE THE BUILDING TO THE VILLAGE HALL COMMITTEE / CHARITY</li> </ul>	<p>KT PG SW LB</p>
<p>11. Under what circumstances should the LEASE be forfeited?</p>	<p>If any of the following exist, then the lease must be forfeited back to the parish council:</p> <ul style="list-style-type: none"> <li>• Fraud on the part of a trustee / trustees</li> <li>• Failure to produce accounts</li> <li>• Bills are not paid</li> <li>• The hall is unusable</li> </ul>	