

## GREAT WITCHINGHAM PARISH COUNCIL

Draft Minutes of a meeting held at 7.30 p.m. at Gt. Witchingham School on Thursday 29<sup>th</sup> January 2013

Called to discuss deferred matters from 24<sup>th</sup> January 2013

Present: Sally Acloque, Stephen Williams, Chris Cate, Jane Wisbey, David Beaumont, Kevin Francis and Mark Pead (Chair). Clerk: Peter Dilloway.

(1161). Apologies. None.

(1162). Payments/Financial Matters.

- (i). Remembrance Day Wreath. Weston Longville PC had purchased a wreath on behalf of this Council which was laid at St. Mary's. It was resolved to reimburse WLPC with the sum of £18. Chq No. 100624.

(1163). Wensum Way Trail. A new section is to be opened from Gressenhall to Lenwade, Lyng the Nar Valley Way to Marriott's Way. The Chairman had met with Andy Williams from NCC to determine where signs would be placed indicating the route of the walk; one at Lenwade House Drive, The other at Hall Walk. The Church fingerboard sign at LHH drive will be replaced with a new sign to match the new WWT sign.

(1164). Northern Distributor Route. The route is currently receiving further press. It will be added to the next agenda for discussion.

(1165). Village Hall.

Jane Wisbey and Stephen Williams had produced a document containing concerns they wished to discuss. KF stated that some of the concerns were verbally tabled in November but the written detail was not received until 10<sup>th</sup> January. The detail was not in the public domain before then. CC had not received the document until the meeting commenced.

- (i). Execution of the Trust Deed. Following lengthy discussion the following two actions were identified and the remedial steps below proposed:
  - (a) Signing of the Trust deed (1) by the then Chairman, Ron Cornell, on 20<sup>th</sup> November 2008. Ron sought and obtained the agreement from a majority of Councillors, to sign the document by email and telephone. This action fell between the October and January meetings. Having reviewed those and subsequent minutes for any entry to cover the act it is agreed that due to the focus on Clay Hall Farm Rendering Plant at the time, a minuted resolution should have been made in the January 2009 minutes to ratify the decision but was overlooked. The following resolution was proposed to legalise the verbal decision of the Council taken at the time. **Resolved that: This council reaffirms the decision taken by Members on 20<sup>th</sup> November 2008, in response to the demands of the Charity Commission, that Ron Cornell, the then Chairman of the Parish Council, may sign the new trust deed for the Village Hall on behalf of Great Witchingham Parish Council.**
  - (b) Signing of the Trust deed (2). Whilst the document bears a date and signature, the signatory is not identified nor is the signature witnessed. SW had sought informal legal advice that led him to believe that the document was not legally valid without those missing components. CC explained that The Charity Commission accepted the document as it stood but did not appear to have checked it. Having done so now, the Charity Commission believes that the deed has not been executed correctly. They suggest that the remedy is to have the Chairman sign again, show his name and position and have it witnessed. As the Hall Trustees are close to signing the contracts and time is of the essence and opinion as to validity is not conclusive it was **resolved that PD will seek a definitive answer from NALC, SW will obtain pro bono legal advice and CC will seek their further advice from the Charity Commission.** CC made the point that with the advent of Community Infrastructure Levy (CIL) fast approaching, if the contract could not be signed in time to avoid CIL, the project was over and 5 years work would be for nothing.
- (ii). CC pointed out that planning permission for the hall will not be properly granted until the condition requiring the attendant S.106 agreement to be signed has been fulfilled.
- (iii). CC said that his attendance was as a Parish Councillor not as representative of the Trust and his fellow Trustees had not wanted him to attend the meeting. Also that he would not answer the questions posed in the absence of his fellow Trustees, who had not been invited to attend. He was prepared to take the

document away, discuss with his fellow Trustees and formulate a response. He added that many of the questions had already been posed at an informal meeting between him and his wife Heidi and SW & JW. He added that if the answers given then were dismissed or did not satisfy, being the same now, those answers would be of no use.

- (iv). SA said that in her personal opinion, if she had been presented with the questions she would not have been happy. The document appeared to be an accusation. CC agreed. SA added that it was probably not intended to be that way but that's how it came across. MP said that he would not want the document to cause such furore and that the object of the exercise is to build a facility for the benefit of the community of which they can be proud.
- (v). A discussion ensued as to why there was no longer an education contribution arising from the housing. JW explained that in her opinion, the reason why NCC was not receiving the funds claimed and therefore why Great Witchingham School would not benefit, was down to the cost of the village hall. If it were costing less, NCC would still be receiving School Place Funding (£58,400 - £70,000). JW explained this in detail. CC responded that the VHC aim was build an amenity that would be "The envy of Norfolk" and that the project has had be tuned to suit over the last few years. The decision to put the affordable housing in local use in perpetuity and dismiss NCC's claim for school place funding had been made by BDC and CC stated that the VH Trustees were not party to it. The distribution of S.106 funding arising from the housing development was therefore totally outside the control of the Trustees.
- (vi). DB asked whether the Trustees had gone out to tender for building quotes. CC responded that the Trustees had chosen to accept a compromise by using the on-site housing developer, Lovells, to avoid a race to beat the start of the CIL which would take at least 50% of the funding away from the hall project. The VHT had employed an independent Chartered Surveyor whose task was to ensure that the chosen scheme provided best value for money. KF supported the path which the Trustees had taken and again reminded members that the Trustees only consideration was provision of a village amenity.
- (vii). CC said that the Trustees have worked very hard for five years. They started with nothing and now have access to £584000 of funds.
- (viii). It was resolved that CC would take away the questions and consider a written response with his fellow Trustees.
- (ix). KF said that The Council should meet again to discuss the response. DB said he would prefer a written response to the written questions. Members generally preferred to meet. CC agreed to circulate dates for a meeting. KF said the way forward, not just to understand the answers to the questions, but to begin to re-establish a working relationship with VHT.
- (x). CC said that his participation as a Parish Councillor and Village Hall Trustee caused much conflict and he intended to resign. The Chairman hoped he would reconsider.
- (xi). SW said that having received a copy of the Parish Toolkit he felt there was an urgent need to update standing orders and other parish documents. He offered to go through the toolkit and present a set of documents appropriate for the council to meet and adopt.

(1166). Date & time of next scheduled meeting: following on from the **Annual Parish Meeting** Thursday 28th March 2013 at 7.30 pm

There being no further business, the meeting Closed 9.00 pm

**AGENDA**  
**GWPC Meeting – 7.30pm Thursday 28<sup>th</sup> March 2013**  
**at Gt. Witchingham School.**

(1180).Apologies

(1181).Minutes of meetings 24/1/13 & 29/1/13

(1182).Matters Arising

(1183).Payments/Financial Matters.

- (i). Litter clearance payment 20/1/13 onward £TBA - R. Cornell
- (ii). Clerk's salary (£387.70) plus expenses to date (£TBA)

(1184).Correspondence:

(1185).Village Hall.

(1186).Planning Matters

(Informative)

- (i). 3PL/2012/1079/F – Erection of 77 metre Wind Turbine at Primrose Green Lyng for Bawdeswell Farms. Will go to Planning Committee in May at the very earliest.
- (ii). 20121715 - Lenwade House Hotel Temporary permission for marquee & erection permanent function room. Permission granted (decision circulated)

(1187).River Wensum

(1188).Northern Distributor Route.

(1189).Any other Business

(1190).Date & time of next meeting: following on from the **Annual Meeting of the Council** Thursday 23<sup>rd</sup> May 2013 at 7.30 pm