

GREAT WITCHINGHAM PARISH COUNCIL

Minutes of a Special Meeting held at 7.30 p.m. at Gt. Witchingham School on Thursday 25th March 2013

In continuance of matters arising from the meeting 24th January 2013

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

(1167). Exclusion of the press and public for all agenda items. None present.

(1168). Apologies for absence. None.

JW requested permission to record the meeting. Councillors discussed this and as the Clerk records proceedings due to a hearing impediment, **it was resolved that the Clerk's recordings would be kept until after the minutes had been confirmed and erased thereafter.**

(1169). To consider Standing Orders, Financial Regulations, Code of conduct (NALC final version) and other documents for discussion and adoption as appropriate.

- (i). SW had prepared a number of individual documents taken from the NALC Parish Toolkit. Members had considered all the documents and unanimously passed the following resolutions:
- (ii). The Clerk has never had a Job Description or Contract of Employment. **Resolved. That these two documents will be agreed between the Clerk and Council and dealt with as soon as practicable at a future meeting perhaps in May.**
- (iii). Code of Conduct the final version of the code adopted last year was now available and it was **resolved to adopt the latest version in place of the earlier one.**
- (iv). Standing Orders (NALC 2011 version). **It was resolved to adopt this version in place of those adopted 3rd May 2001.**
- (v). **Resolved to adopt the following three Protocols on:**
 - (a) **Member/Officer Relationships.**
 - (b) **Harassment and Bullying.**
 - (c) **Communications.**
- (vi). **Resolved to adopt the Model Complaints Procedure**
- (vii). Financial Regulations. The existing regulations were originally adopted in 2001 and have been modified over the years to ensure up to date compliance. **Resolved that there is no need to re-adopt the regulations until further changes are required.**
- (viii). Risk Assessment. The risk assessment document should be reviewed annually in May and is up to date. **Resolved no action required at this time.**
- (ix). The Parish Toolkit has been circulated to all members and is the source from which the above documents are derived and any single document above may be amended in the future as required.

Members thanked SW for his hard work in preparing the documents.

(1170). Minutes of meetings 29/1/13 were agreed to be a true record with a correction to the name of the NCC Officer (proposed SA sec. KF) and signed by the Chairman.

- (i). JW asked if it was permitted to have the draft minutes amended via email. Discussion ensued and SW quoted from Standing Orders that only the accuracy of minutes shall be discussed prior to the meeting. **Resolved that the Clerk cannot accept changes (unless a mistake is obvious) without all members confirming agreement/disagreement to any proposed text for inclusion in, or exclusion from, the circulated draft minutes.**

(1171). Matters arising from the minutes.

- (i). Wensum Way. The Chairman met with Andy Williams (NCC). The route has been changed slightly to avoid the lakes previously owned by Tom Bolton. The public footpath follows Hall Walk but turns left behind the new village hall site to Heath Lane. The Chairman explained the proposed path to members and members discussed this. There was discussion as to whether the path across 'Tom Bolton's' actually had a public right of way across it or was just used as a shortcut. **Resolved that the Chairman will investigate whether a public footpath actually**

passes between the lakes at Hall Walk and report back to the Council.

(1172). To consider letter of response dated 3rd March 2013 from the Village Hall Trustees.

- (i). The Trustees acknowledge the invalidity of their deed and are working with ACRE to correct this.
- (ii). CC said that this has been an emotional and difficult period but the outcome must be what is best for the village. He added that the Trustees would present a report to the APM. Having declared a prejudicial interest as the writer of the letter above, he left the meeting. He added that as he is a Trustee, he should not have been a Parish Councillor and would stand down from the Council.
- (iii). All members had seen the response
- (iv). KF said that he told the Trustees that their option as a separate body reporting to the Charity Commissioners was to respond to the Councils questions or not as they saw fit.
- (v). SW felt that this was an about face. The Chair confirmed that the Trust had no reporting responsibility to the Council which has led to confusion.
- (vi). SW said that the Council had delegated the responsibility for a hall to the Trust because it didn't have time itself. It was assumed that there would be a level of reporting some communication would take place. He cited a number of examples which he felt pertinent.
- (vii). KF said that with hindsight, his role had been unnecessary since CC became a Councillor. The deed was executed 5 years ago and perhaps should have been different but we are where we are and it was only recently that problems have arisen.
- (viii). SW said that there was a lack of communication in reporting changes to the specification and it was good to see the business plan. The inclusion of a Post Office was an afterthought after the raid took place.
- (ix). JW said that School Place funding (£69864) is mentioned in the VHT business plan but has been removed from the S.106 following lobbying by the Village Hall Trust. NCC are reported to have required that sum for GW School. She added that it was wrong to take money for the hall from the school. The decision to do so was taken by Broadland (BDC). (Reference was made to a meeting dated 9th August 2012). There was disagreement between Members as to the validity and morals of that decision. JW outlined the rules for education funding. There has not been any communication from BDC giving reasons for their decision. JW added that there were a lot of funding options out there for the hall but not for the school.
- (x). SW said in an ideal world there was a lot of funding available; we just had to access it. He felt that both sides could be satisfied and that BDC's policies and procedures were left wanting. SA said that in her experience fundraising is not that easy.
- (xi). The Chairman suggested that BDC should be asked the reason for their planning decision. (The Clerk said that 8 houses had been placed in 'local use only' in perpetuity negating NCC's education claim on S.106 funding). JW said that the basis used was inaccurate. She added that if BDC lost an appeal against this, she didn't want to see the hall lost and felt there was a way to have both via other funding.
- (xii). SW said that many funders would not make grants where work has started and the Trustees need to identify where funds can be sought.
- (xiii). SA asked what other funding, if any, was available to a school that lacked classroom space. She added that not too many years ago, the school nearly closed for lack of children. There appears to be no other contingency though CIL will address this more fairly.
- (xiv). JW said that she had spoken to NCC as an individual and had asked them to engage BDC in discussion about the S.106 decision.
- (xv). The S.106 has yet to be signed. As far as anyone knows, once signed it cannot be altered. CIL has no firm start date (est. June/July). Time remains a consideration.
- (xvi). The Chairman said that having spent over an hour in discussion, the Council could spend several more and get nowhere. What was the way forward.
- (xvii). DB suggested that pressure should be put on both BDC and NCC to resolve the impasse so that the village had both a hall and school funding. SA said that there was only one sum of money to distribute to one party.

- (xviii). SW said that the PC needs to sit down with the Trustees and talk about the way forward. KF said it wasn't the remit of the Council to sit on the Trustees back. KF asked what was the outcome of the meeting between JW, SW HC and CC and whether the questions had been answered then? Some of the questions had not been answered satisfactorily.
- (xix). The discussion upon SPF and the need for other external funding for the hall to be found continued on for some time.
- (xx). The Chairman suggested that he and SW should sit down with CC and a representative from BDC and establish the reason for removing SPF from the S.106.
- (xxi). SA asked what the Schools opinion was on the loss of SPF. JW asked the Clerk for a copy of an email sent to Christine Livings. (An email had been received from CL and had been previously circulated). The Clerk explained that as much discussion was taking place on the subject of SPF without input directly from the school, he had contacted the Head on the Council's behalf to establish what the school's view on the loss of funding actually was. He had provided Councillors with the Head's response giving a full account and saw no reason to elaborate further. He said that subsequently his contact with CL been identified by an unknown third party at the school either by deceit or accident and both he and the Head were appalled to find that the third party had disclosed their knowledge of that contact to someone outside the school. There had been a complete breach of school confidentiality and the Head was most annoyed and disturbed by it and was now taking legal advice on the matter. The Clerk added that he had always acted on initiative and in an identical manner for the last 15 years and did not expect to be required to provide the minutiae of correspondence or phone calls to justify his every action in ensuring that the Council had a proper basis for carrying out its business. He concluded that the Clerk works only with the trust of the Council and that if the Council no longer trusted his judgement and so wished; he would immediately resign leaving the Council the opportunity to replace him. The Council did not wish this.
- (xxii). SW moved on and said that the Trust deed gave no structure for reporting to the Council. Further discussion ensued repeating that held earlier, the nub of which concluded that a mediator such as a NALC representative should be asked to chair a meeting between the PC and Trustees.
- (xxiii). The window of opportunity for reaching settlement is finite and determined by the time at which funds, in particular, the SPF money, is needed.
- (xxiv). KF proposed that The Chairman and SW agree a date for an initial meeting to answer some of the more pressing questions and thereafter agree the basis for a mediated meeting of all parties.
- (xxv). SW said that it was important to get an S.106 signed before CIL and reiterated that it was important to sit down and sort the problems out
- (xxvi). **Resolved to arrange a full meeting between the Hall Trustees (if willing) and the Parish Council with an independent mediator to Chair the meeting. (NALC to be approached in the first instance). Ahead of any such meeting NP & SW to meet with CC and prepare the ground.**
- (xxvii). Members agreed to accept the results of the full mediated meeting.

Meeting closed 10pm