

Datchet Parish Council

MINUTES OF THE SPECIAL COUNCIL MEETING HELD IN THE DATCHET VILLAGE HALL, ALLEN WAY, ON MONDAY 27TH JULY 2009 AT 8.00P.M

Present: Cllrs D. Cannon (Chairman), H. Clasper, P. Dickson, Mrs S. Drummond,
Mrs M. Fitzgerald, E. Larcombe, D. Lyons-Davis, A. J. Needham, Mrs L. O'Flynn,
T. A. J. O'Flynn, R. Stewart
Mr G. J. Leaver – Clerk, Mr Paul Clayden (Solicitor), Local Councils Advisory Service
Mrs J. Freeland

Apologies: Cllrs P. Simmons, Mrs H. Taylor, Mrs E. F. Wren

09.074 ANNOUNCEMENTS

The Chairman, in opening the meeting welcomed representatives of the Village Hall Management Committee (Mr G. B. Deane-President, Mr J. Street-Secretary, Mrs S. Needham-Member and Mr I. Bacon-Member).

It was his view, in light of the matters to be discussed, that these representatives should be allowed to take a full part in the meeting, other than having the facility to vote.

It was proposed, seconded and resolved that standing orders be suspended until such time that decisions had to be taken in relation to the items on the agenda.

The Chairman welcomed Mr Paul Clayden and asked that he outlined, for the benefit of these present, his role at this time.

09.075 MODEL CODE OF CONDUCT

All members present declared an interest in matters relating to the Datchet Village Hall.

09.076 FORMAL LEGAL ADVICE

Mr Paul Clayden attended the meeting at the invitation of the Council and explained his background, qualifications and experience as a practicing solicitor, a previous Chief Executive of the National Association of Local Councils and the joint author of the current edition of Local Council Administration, the handbook upon which all local councils rely.

09.077 FUTURE MANAGEMENT OF THE DATCHET VILLAGE HALL

His brief had been to review all files relating to the Datchet Recreational Centre Charitable Trust, the Datchet Hall Endowment Fund and the charity known as the Recreation Ground, together with those relating to the Village Hall Management Committee and the Sabatini Land.

He had been asked to express an opinion on the relationships between the various charities and what action should be taken in this regard, together with the relationship between the Village Hall Management Committee and the Parish Council.

In so far as the ownership of the Village Hall was concerned, it was his opinion that this was quite clearly part of the Parish Council and as such owned by the Council.

Contrary to previous opinions and statements in the past, it was clear that the Parish Council were managing trustees not custodian trustees and as such had full responsibility for the hall. It was his opinion that the Hall Management Committee was in effect a committee of the Parish Council.

Following discussion, and in light of the varying views expressed, it was agreed that further information was required and that at this time matters relating to the Charities be deferred.

Note: Cllr E. Larcombe left the meeting at 9.05pm.

09.078 VILLAGE HALL - SCOPE OF MAINTENANCE WORK TO BE CARRIED OUT

Members and representatives of the Village Hall Management Committee were aware that in general terms the proposals which had been dealt with at previous meetings related to a requirement for:

- a) The re-wiring of the Village Hall, together with the updating of fixtures and fittings throughout the building.
- b) The refurbishment of the kitchen area.

The Parish Council had previously approved and actioned an independent consultants report and proposals in respect of the electrical works and investigated the refurbishment of the kitchen area.

Whilst it was understood that the funding of the works in the kitchen area would be forthcoming from a local charitable organisation and possibly other sources, it was clear in light of the advice received that the responsibility for the electrical works would fall to the Parish council and owners of the property.

The Lead Member for Finance indicated that there was no provision in the current Parish Council budget, although on the advice of the Clerk accepted that in the current financial year 2009/2010 there was provision within the item for grants to the Village Hall in respect of capital works sufficient funds to cover the repayment in that year of any borrowing approval obtained.

It was proposed by Cllr A. J. Needham, seconded by Cllr D. Lyons-Davis and unanimously resolved that arrangements be made for the borrowing of the necessary funds to carry out the electrical works referred to.

09.079 FINANCIAL ARRANGEMENTS

Consequent upon the decision in 09.078 above, it was proposed by Cllr A.J Needham, seconded by Cllr T.A.J.O'Flynn and unanimously resolved that the Council seek approval for the borrowing through the Public Works Loan Board of a sum of up to a maximum of £100,000.00 for the purposes of the works now discussed and that Clerk be authorised to make the necessary arrangements.

09.080 MANAGEMENT OF THE NECESSARY ARRANGEMENTS AND WORKS

It was proposed by Cllr T.A.J. O 'Flynn, seconded by Cllr H. Clasper that a Parish Council Management Group be set up consisting of Cllr P. Simmons (Lead Member for Properties), Cllr R. Stewart (Deputy Lead Member for Finance), Cllr D. Lyons-Davis (in his capacity as both a member but also the Chairman of the Village Hall Management Committee) and that Mrs S. Needham (Member of the Village Hall Management Committee) be co-opted to this group.

09.081 MEMBERS QUESTIONS AND COMMENTS

Cllr A. J. Needham

Indicated his concern as to the uncertainty of details relating to the various charitable bodies and was of the view that the Parish Council had to work with the Village Hall Management Committee to bring the current situation up to date and plan for the future.

Cllr H. Clasper

Indicated his view that the 1976 document, which had formed the basis of the opinions expressed by the legal advisor, should be jointly reviewed and amended as necessary and appropriate.

Cllr D. Cannon

Supported the view that there should be an informal private meeting between Parish Councillors and Village Hall Management Committee members in order to move matters forward to a conclusion.

THE MEETING CLOSED AT 10.10P.M.

CHAIRMAN

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For Information:

Cllr Jessie Grey
Cllr Gary Muir