

MIDDLETON AND SMERRILL PARISH COUNCIL

Minutes of the Meeting of Middleton and Smerrill Parish Council held at the Village Hall, Middleton by Youlgrave on Wednesday 20th January 2016 at 8:15pm

Present: Cllr Henry Brocklehurst, Cllr David Mallaband (Chair), Cllr Clare Sutton and Cllr Jamie Wigley

In attendance: Matthew Lovell (Clerk) and 8 members of the Public

Meeting of Council, VH Trustees, VH Management Committee and Parishioners regarding the future of the Village Hall

The Chair outlined the history of the lease from 1978 for its 28 years and subsequent efforts to date noting the registration as an Asset of Community Value and PDNPA advice that it could not be re-designated whilst the village needs it as a community building. Requests to receive title to it had not progressed and a Heads of Terms to renew had seemed the best option until the recent terms had been received proposing a major rent increase. In looking at other options it was noted that the terms of granting the play area had included the 1906 open spaces act to prevent further buildings. Council's only other plot is the area including two outbuildings behind the village hall but this is landlocked and due to consent not having been withdrawn to use the hall in the period since expiry of lease, adverse possession and rights of way were unlikely to hold sway for entitlement to access. Costs of rent coupled with the need to make into an acceptable standard for modern expectations for a hall made the high rent proposal unsustainable.

We can either renegotiate/walk away/stay as we are – we are protected under the Landlord and Tenant Act so if asked to leave can apply to the courts to decide the new lease – which is an expensive process although as a community building there is precedent for a peppercorn rent being set.

The meeting explored the options including:

A break clause should future generations wish to walk away vs the problems of payback on any grants received;

Rights of way to the rear plot;

Lifting 1906 condition to convert and extend the building at the bottom of the playground and the possibilities of temporary buildings and the former wooden structure that once formed part of the site;

Use of the local church which would require modernising and new facilities;

Expected bookings for this year to determine usage.

It was agreed by all present that one last effort be made stating the unacceptability of a commercial rent and reinstating clauses on obligations and consent left out by their solicitors before continuing as is until asked to vacate whereupon further advice would be taken.

The Chair thanked Simon Brister for his continuing efforts on our behalf.

Trustees and Committee Members were thanked for attending.

Part 1 Non-confidential items

555 To receive apologies for absence
Cllr Helen Brocklehurst sent her apologies.

556 Variation of order of business and time constrained items
It was agreed that no variations were required.

557 Declarations of Members Interests

No declarations were required.

558 Public Speaking

County Cllr Simon Spencer, PCSO Hayley Grundy & PDNPA member Andrew McCloy sent their apologies.

District Councillor Graham Elliott informed the meeting about the removal of the recycling area at Youlgrave and the increased collection service – all recycling put out alongside the bins will be collected with more assisted collections for less able. He counsellors and parishioners to attend the February community forums where the spending plans will be revealed.

The District Councillor was formally thanked for his personal assistance in getting the defibrillator made live and counsellors agreed to find another project for the DDDC grant money available prior to the year end in case this scheme is axed in next year's budget.

559 To confirm the Non-exempt minutes of the meeting held in November

RESOLVED to confirm as a correct record the minutes of the meetings held on 18th November 2015. The minutes were signed by the Chair.

560 To determine which if any from Part 1 of the Agenda should be taken with the public excluded – none

561 Planning decisions/applications received since last meeting & planning related matters

Decisions received: NP/DDD/1015/1011 – Rock Farm – improve existing access - granted

Applications returned/for discussion: none

562 Footpaths and Highways and related issues

DCC Footpaths – SBS 884465 – item 4 – Footpath down The Dale

Still no news on the footpath into the Dale.

Clerk was authorised to ask Long Rake to refill the grit bins.

563 Report of the Clerk:

i. Playground / Village Assets

The trees have been dead-wooded and crown lifted. The order was placed to clear algae from the play area surfaces but a water supply needs sorting out. There may be a possibility of a jet washer provided by a local quarry although fears were expressed as to its power on both the rubber and tarmacked surface.

ii. Defibrillator installation

Is now live and registered with the Ambulance Service. It was noted that the door closes with difficulty and birds and debris have been getting in. Council will monitor this with a view to sweeping out as required.

iii. Batemans Tomb

Quotes did not arrive for the December deadline so the clerk has extended to beginning of March – one tenderer has indicated he will meet the new deadline.

- iv. Website
Dates for village events 2016 need adding

564 Village Hall lease

Council resolved to instruct Simon Brister to make one last attempt spelling out the acceptable conditions as: nominal rent, no obligation to return the building in a better state than exists, consent for alterations is not to be unreasonably withheld and ask for a 28 year lease for grant security and possibly include break clauses.

565 New audit regime – opt out decision

Council resolved not to opt out of the proposed scheme in line with advice from the Internal Auditor and there being no cost effective alternatives.

566 Precept finalisation

Council resolved to keep the precept as set.

567 Items for information and DALC (already circulated by email)

Clerks and Councils Direct, DALC 26,01

DDDC Community Forum ABC date 17th February - Spending Plans

568 Finance

(a) Accounts for Payment

300065	J Simpson mowing	£200.00
300066	Youlgrave Garage (Defib parts)	£29.76
Direct debit	NEST	£7.24
300067	HM Lovell (January salary)	£97.76
300068	HM Lovell (expenses)	£25.06
300069	Jack Aston (6m website hosting)	£34.50
300070	HM Lovell (February salary)	£97.76
Direct debit	NEST (2x 7.24 Jan/Feb)	£14.48
	Total	£506.56

(b) Income

Interest Nat West	£0.42
Footpath grant	£350.00

(c) Budget Appraisal/Risk Assessment

Unity Account £4645.32	after above	£4488.76
Nat West account Savings: £5005.34		£5005.76

569 Date of next meeting – 16th March 2016 8:15pm in the Village Hall

2016:, 18th May, 13th July, 14th September, 16th November

PART II – CONFIDENTIAL INFORMATION

Clerks contract simplification - discussion

There being no further business the meeting closed at 10:40 pm