
WELLESBOURNE PARISH COUNCIL

The minutes of the Extraordinary meeting of the Council on Wednesday 16th June 2010 at 7.30 pm at the Parish Council Office, 2 School Road, Wellesbourne

Present

Chairman: Cllr Johnston Clerk: Mrs Scriven Members of public: 7
Councillors: Mrs Bolton, Close, Copeland, Grantham, Mrs Rose, Rutherford, Wright
Mrs Tomkins (temporary RFO) was to attend the meeting but had not arrived at the start.

1. **Apologies :** Received and accepted for Cllrs Mrs Bartlett, Blundell & Parton

2. **Declarations of Interest**

Declarations of interest (personal or prejudicial) under the provisions of the LGA 2000, Parish Councils (Model Code of Conduct) Order 2001.

Cllr Mrs Bolton personal interest in the Village Hall as Buildings Trustee for the Village Hall

Cllr Grantham prejudicial interest in connection with Wellesbourne Conservative Club Ltd and a personal interest in the Football and Social Club 97, and all matters appertaining to Walton Estates.

Cllr Close personal interest as a District Councillor and in connection with St Peters Church as a member of the church

Cllr Wright personal interest as a District Councillor and in connection with the CAB and the Methodist Hall

Cllr Mrs Rose prejudicial interest in connection with the Conservative Club Ltd and a personal interest in the Football and Social Club 97.

Cllr Rutherford personal interest in parking matters in relation to Chedham's Yard

Cllr Johnston personal interest as a County Councillor in all matters regarding WCC

3. **Confirmation of Agenda** – As Mrs Tomkins had not arrived at the meeting, it was agreed to move item 8 forward on the agenda. Confirmed.

4. **Matters arising** - none

5. **Open session** for members of the public to raise any matters of relevance to the Parish and for any Cllr with a prejudicial interest in an item on the agenda to speak on that item.

Mr Coton, Charlecote Fields, asked if the Council would be prepared to advertise items relating to the Football Club for longer or more widely, and indicated that the Sports Association should be invited to attend meetings relating to the Club and its future as a community facility.

The Chairman explained for the benefit of members of the public how the Council meeting had been advertised in accordance with the regulations

Mr Shearsby, Westfi Close, said he had been surprised to hear that the Parish Council had agreed to purchase the Club premises without a ready tailored business plan.

The Chairman said that due to the Receivership it was possible that the building could have been lost as a community facility and that had meant the Parish Council acting immediately to secure the property even if without a business plan agreed, although some initial suggestions had been circulated.

Cllr Grantham said that Mr Turner had been promised at the Sports Association meeting that once the Parish Council had secured the building it would do everything possible to attempt to have the showers and changing facilities ready for the sports seasons.

Mr Podbury, Kineton Road, said the Council had hoped to get the changing rooms up and running in time for the season but that the sports clubs would require a definite answer as to whether available or not.

The Chairman again reiterated that the Parish Council could not give timescales for the availability of the changing and showering facilities but would provide this as soon as possible.

Cllr Rutherford said he had suggested at the last meeting of the Council that the Sports Association be told that the shower and changing facilities would not be available for this season as the work would not be carried out by August.

Cllr Wright said it would be appropriate to wait until the Council could gain entry to the building, access the state of the property and then the Council would have a better understanding of the possible timescales involved and would be better informed as to whether the property would be available for the forthcoming season saying this was the best the Council could offer at this time.

Item 8 – brought forward in accordance with the agenda confirmation.

8. Football Club Building

The Chairman said that the Council's offer of purchase had been accepted by the Receiver, and said a Resolution had been drafted by the Council's Solicitor for consideration, item 1.2 being included as he would be out of the Country June/July and thus giving the authority for 2 Councillors to sign the contract to enter into purchase of the building.

Cllr RB asked how the purchase of the building was to be paid for.

The Chairman reminded Cllrs that a reserve amount had been carried forward from the previous year which would now be utilised to pay for the property purchase.

Following discussion, it was explained that the Parish Council would acquire the lease assigned to the Parish Council, and ownership and title to the building.

Cllr TC said the Council could not enter into a lease agreement with itself, therefore at the point of purchase the lease would dissolve.

Cllr IR asked if the Council were sure that delegated power could be given to two Councillors in order that they sign the Contract. The Chairman said this had been the legal advice received from the Council's Solicitor.

Resolution

It is reported that the Parish Council has received a Memorandum of Agreed Sale for the purchase of the lease, trade, fixtures and fittings and goodwill of the Wellesbourne Sports and Social Club, Loxley Close, Wellesbourne, Warwickshire ("the premises") which confirmed that there was an agreement for the purchase of the lease at £35,000 (the Transaction).

It is further reported that the Council's Solicitors advise that the purchase will take the form of an assignment of the Lease referred to in the Memorandum of Agreed Sale. There will be required a Contract for the purchase.

It is acknowledged that the purpose of the proposed purchase is to achieve the total control over the Premises free of any liabilities.

It is proposed that in the circumstances a Resolution shall be resolved as follows "after due and careful consideration of the transaction it was resolved that:-

1.1 The Transaction was in the interests of the Parish Council and the local community and it will promote the interest of the local community as a whole and it is hereby approved.

1.2 Any two of the Chairman, Vice Chairman or Chairman of Amenities Committee are authorised to execute and deliver all transfer and Contract documents as required underhand or as deed

and

1.3 Each such Councillor be and is hereby authorised to agree such amendments, variations, modifications to any or of the transferred documents and may in their absolute discretion think fit as to all acts and things as to carry into effect the transaction".

Following consideration of the resolution and concerns regarding changes that might be required, Cllr JG proposed that the following amendment was made to resolution 1.3:

Resolution: amendment to 1.3 to read: Each such Councillor be and is hereby authorised to agree such amendments,	Proposed Cllr JG, 2 nd Cllr RW, Carried
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variations, modifications excluding any relating to price and title, to any or of the transferred documents and may in their absolute discretion think fit as to all acts and things as to carry into effect the transaction.	Cllr IR Abstained.
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Mrs Tomkins arrived and was invited to join the meeting

6. Finance

6.1 Year End Accounts

Mrs Tomkins confirmed that following the meeting of the Finance Committee where Cllrs had asked the Chedham’s Yards income & expenditure to be re-checked due to Cllr IR’s queries. Mrs Tomkins confirmed that she had reconciled the accounts with Linda Dane’s records of I&E in order to verify the figures. She explained that a minor error in 2008/2009 accounts had seen carried forward an amount as a debt when in fact, the amount had been reclaimed during the year from HLF; this error had been written off with an explanation against it on the Significant Variance report to the Auditors.

Cllr IR attempted to bring to the attention of the acting RFO, spreadsheets with Chedham’s Yard I&E he alleged to have drawn from the monthly figures supplied.

The Chairman reminded Cllr IR that he had been given the opportunity to table the documents at the previous meeting but had refused to share the information stating it was confidential. The Chairman reminded Cllr IR that the correct procedure for consideration of documents was to place them on the agenda otherwise they could not be presented at the meeting, which had been something Cllr IR had previously raised himself as “unlawful activity” if the Council considered any item not giving proper notice. It was agreed that as the figures had already been sent directly to the Internal Auditor by Cllr IR, no consideration would be given to these reports at this time. Cllr IR commented that he had Attempted to raise the report in April but the Council had not permitted him to do so he had had no choice but to send them to the Auditor without asking the Council for approval to do so.

Following consideration of the Consolidated balance sheet, the Year End Audit Return (including the Statement of Account) it was agreed that Mrs Tomkins had supplied the Council with an excellent set of reports and she was thanked for her work on the accounts.

Resolution: Accept accounts/Y.E. Return & send to audit.	Prop: Cllr DJ, 2 nd Cllr JG Carried Cllr IR abstained
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Cllr RW asked if Cllr IR believed the accounts to be so incorrect, why he did not object to them rather than abstain, Cllr IR stood by his right to abstain and proffered no explanation to the Council.

7. Chedham’s Yard

7.1 To approve spending on consultants for heating the visitor centre – (HLF funded)

Cllr DC said discussion had been taking place between Consultants regarding Ground Source Heating Pumps. Jane Alexander had sourced two Consultants, the first £3520, the second £1155. Jane had asked the Council approve the second of these who will look at the merits of one type of heat pump “V” the other.

There was discussion as to the probability of getting the machinery on site to carry out works required for the installation of underground heat source pumps and it was acknowledged that the ground pump would be axed if it proved too difficult to install.

Resolution: To appoint Consultant whose fee was lowest to carry out preliminary work required	Proposed Cllr DC, 2 nd Cllr Mrs RB, Carried Cllr IR abstained
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7.2 To approve approaching the PC solicitor to work on getting legal approval to put services across the turning circle at the end of Church Walk if ownership still can’t be determined – HLF funded. It was noted that no clear ownership had been ascertained by Land Registry. It was acknowledged that an advert must be placed in the London Gazette for a period of twenty eight days after which, if no person claims ownership of the ground, the Parish Council can proceed with installation of services to Chedham’s Yard. It was agreed that should the fee for the service installation be more than £5000, a report would be brought to Full Council for approval.

7.3 Border Oak contract update

Cllr DC said a meeting was taking place at 8.45am to discuss this matter with Jane Alexander.

Resolution:

In view of the confidential nature of the business to be discussed, the public and press be excluded from the meeting in accordance with the Public Bodies (Admission to meetings) Act 1960, Section 1