

BIDBOROUGH PARISH COUNCIL

MINUTES OF THE MEETING HELD IN THE BIDBOROUGH VILLAGE HALL ON 13 FEBRUARY 2023 STARTING AT 7.00PM

PRESENT: Councillor Mrs Thorne (Chairman) and
Councillors Hawksfield, Johnson, Moore, Shepherdson, Mrs Summers, and Mrs Vidler

In Attendance – Neil Harris (Clerk)
Over 40 Members of the Public

1. Apologies for Absence

There were no apologies for absence received.

2. Declarations of Interest

Councillors Moore and Shepherdson disclosed that they were Members of the Cricket Club.

3. Minutes of the Meetings of the Council held on 30 January 2023

It was **Agreed** that the minutes including the confidential minutes of the meeting held on 30 January 2023 be approved as a correct record and signed.

4. Matters Arising from the Minutes of the meeting held on 30 January 2023

There were no matters arising from the minutes including the confidential minutes.

5. Public Participation

The Chairman stated that for this evening it was her intention that the public participation section of the meeting would form part of the consideration of the report of the Clerk on the Arthur Nicholson Recreation Ground – Management Arrangements.

It was her intention that consideration of this matter would be in the following parts: -

1. The Clerk will present his report
2. Members will have the opportunity to ask questions of the Clerk on his report
3. Members of the public will have the opportunity to ask questions of the Clerk on his report, but this section will be for questions and not statements and will run for a period of 20 minutes but could be extended at the discretion of the Chairman
4. Members will have the opportunity to ask further questions of the Clerk on his report
5. Members will then debate the report and make decisions.

6. Payments

It was **Agreed** that the following payments as set out below be approved: -

Name	Reason Invoice No.	Net	VAT	Gross
Bidborough Speedwatch (Unipar)	Purchase of Tuning Fork			61.00
Thompson Tree Care	Invoice 1356 – Tree Work next to Tennis Court	550.00	110.00	660.00
Thompson Tree Care	Invoice 1359 – Pond clearance	270.00	54.00	324.00
NPower	January Invoice	104.31	5.22	109.53

7. Arthur Nicholson Recreation Ground – Management Arrangements

The Clerk presented his report to the Council on the future Management Arrangements for the Arthur Nicholson Recreation Ground (ANRG) going forward following consideration of the detailed confidential legal advice received from Brachers. The main salient points from the legal advice was included within the report forming the basis for the recommendations going forward. A copy of the report is attached to and forms part of the minutes.

Before debate of the item by Councillors Members of the Public had the opportunity to ask questions of the Clerk in respect of his report. There were several questions asked and the Chairman extended the period for questions by the public.

It was **Agreed**

(1) That the following recommendations from Brachers relating to the management arrangements for the ANRG be adopted: -

- The reinstatement of Management Committee;
- Ensure there are clear guidelines for officers and councillors about their roles, responsibilities, and decision-making in the administration of the Charity;
- Ensure you have clear processes for identifying and managing conflicts of interests arising and put in place a process for making independent decisions for the charity when those conflicts arise;
- Ensure any charitable assets, such as land or bank account, for the Charity are managed independently from the accounts of the Parish Council and the Charity and keep spending separate;
- keep trustee meetings separate from Parish Council meetings;
- have a clear distinction between decision-making for the day to day running of the Charity from the Parish Council decision-making; and
- periodically review whether it continues to be in the best interest of the Charity for the Parish Council to remain as trustee of the Charity.

- (2) That an early meeting of the Trust be arranged as soon as possible to set in motion the actions needed to implement the above recommendations.
- (3) That the implementation of the recommendations will take time particularly as most of them relate to an administrative separation of the 2 bodies be noted.
- (4) That Brachers be asked for further legal advice on whether the leases granted in 2002 and 2017 are covered by the approval given by the Charity Commission in 1982 and whether these new leases change the original leases sanctioned in 1982 to require further Charity Commission approval which could mean that these later leases are not valid and cannot be implemented.
- (5) That Brachers be asked to clarify the position of the Trustee as to whether it is a custodial trustee or a managing trustee or that these terms are not relevant as the trustee has defined roles which have already been highlighted in the advice.
- (6) That the position in respect of the land leased to the Council by the Church as set out in the report be noted and that the Clerk continue to follow this up with the Diocese.
- (7) That the position of the financing of the Trust, including the actions for 2023/24, be noted and that the Clerk be authorised to take the appropriate action for implementing this change as soon as is practicably possible, including the allocation of a grant to the Trust for the day-to-day activities based on the allocation of funds within the precept, but that it also be noted that further grants could be required during the forthcoming financial year as the movement to the new system is developed.
- (8) That the Clerk investigate and clarify the position regarding any possible residual funding that might relate to the previous management of the ANRG.
- (9) That the Council agrees that it will purchase and retain ownership of any future play equipment for use on a site to be agreed by the Trust.
- (10) That the Clerk report back to the Council and the Trust as appropriate and at the earliest opportunity on the financing for the project for the provision of new play equipment for the Play Park, a detailed location of the site for the siting of the Play Park and on a proposed timetable for implementation.

8. Duration of Meeting

7.00pm to 8.27pm