

Affpuddle and Turnerspuddle Parish Council

The Minutes of the **Extraordinary Meeting** held on **Monday 20th August 2018** at the Briantspuddle Village Hall, at 7.00pm

Present:

Councillor Sue Jones (Chair)

Also present:	Councillors Charles Barter, Trevor Poole, Sarah Lowman, Jonathan Haigh Mike Menzies, and Lizzie Guinn.
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Twenty-nine members of the public were present for public participation.

1. Apologies

Apologies for absence were received Lindsay Hole, Parish Clerk.

2. Declaration of Interest

Councillor Jonathan Haigh declared a non-pecuniary as he is a member of the Bladen Social Club (the Club).

Councillor Mike Menzies declared a non-pecuniary interest as he is a representative of the Parish Council (PC) on the Briantspuddle Village Hall Committee (the Hall).

There were no further declarations of interest.

Chair Sue Jones read out the following statement prior to Public Participation:-

‘I think it is helpful to give some background to the item under discussion and to the Council’s current thinking as established at the August Parish Council Meeting:

The rationale for the 1982 Agreement goes back to a time when Club participation in a skittles league was very active and the agreement simply gave the club, as a privilege, priority to use the hall between 8pm and 11pm on Mondays, Fridays and Saturdays in the period 1st September to 30th April each year. At the time the Hall management as a Charity had not yet been established so this agreement was made between the Club and the Parish Council who were then managing the Hall. When the Hall was established in 1983 as a Charity, with management under a lease to a Committee of Trustees, a new 1986 Heads of Agreement was written but the 1982 was not terminated.

The 1982 Agreement is between the Club and the Parish Council in its former guise as Hall management whereas the 1986 Heads of Agreement sought to set out the relationship and responsibilities between all three parties operating within a very different management structure. The Club no longer hire the hall in the way that was envisaged in 1982. They simply hire it as any user does, when they want to. However, because the 1982 Agreement has not been dispensed with the Club claim that it takes precedence over the 1986 Agreement, the result of this claim is confusion between Agreements and the various parties associated with them. The Parish Council is caught up in this because the 1982 Agreement is with the Parish Council and not the Hall. Terminating the 1982 Agreement will place arrangements for hall hire where they should be, solely between the Club and the Hall.

By bringing this obsolete agreement to an end it would have the double benefit of removing the confusion that has built up around it and firmly establishing the Hall with unfettered management of its own facility.

Although the meeting tonight is solely concerned with the 1982 Agreement it is worth noting that the 1986 Agreement is now some 30 years old. As we all know things change over time and the 1986 Agreement seems to have recognised this fact. Clause 7.2 provides for all parties to bring about change by mutual agreement. As we are all present tonight it is worth saying publically that the Parish Council is willing to take part in any discussion and to co-operate fully with both the Hall and the Club with a view to modernising arrangements between all parties.'

3. Public Participation

Peter Talbot – Secretary the Club - commented that the 1982 Agreement takes precedence over the 1986 Agreement.

Kelly Gorringe – personal comment - supported Councillors in the motion to terminate the 1982 Agreement. Based on her service as a Hall Trustee she recommended the modernisation of all the documents.

Jenny Lightfoot – personal comment – Read out a statement expressing her disappointment about the short notice of the meeting and the fact that the Hall has not been specifically notified. As a result the Hall had not called its own committee meeting to discuss the matter and could not therefore comment. Calling an EGM seems an overreaction to confusion. As Trustees are concerned with the management of the Hall they will engage to discuss decisions on relevant agreements to resolve problems.

Sue Jeanes – personal comment – that more notice should have been given for the meeting in particular to the Club. She confirmed that the Club never wanted the 1982 agreement but that Ernie Bowells, who was Chairman at the time, went ahead and signed it anyway. The Club wanted the 1986 agreement. She stated that lies and abuse towards the Club had come from Parish Councillors. When questioned by the Chair these allegations were not substantiated.

Alison Chorley – personal comment – asked what the connection was between the Parish Council vacancies and the existence of the 1982 Agreement. Chair Sue Jones answered this question by referring to the comments by Sir Ken Olisa at the shop opening when he referred to the bad feeling in the village which most people are not willing to discuss in public. This bad feeling is preventing Parishioners from coming forward to serve on the Parish Council.

Jenny Lightfoot commented that she was unaware of any bad feeling and asked for specific examples. The Chair was unwilling to share examples but instead read out a letter received from the Parish Clerk about the matter. Since she had been with the PC there has been a great deal of tension arising from the Social Club Agreement, this needs to come to an end for the benefit of the community. This is putting people off applying for the Parish Clerk vacancy. Councillors are frequently asked by

parishioners why nothing is being done about the collection of money from the Social Club, a private members club, to the Hall which is open to the community.

Alison Chorley – personal comment - questioned why removing the 1982 agreement alleviated the situation. Chair Sue Jones confirmed that this would leave matters of hiring the hall between the Club and the Hall and would remove the complication of the PC sitting between the two.

Jenny Beedle – personal comment – There was no discord between the Club and the Hall, only bad feeling created by the PC.

Stuart Chorley – personal comment – (representative of the Club on the Hall) - Felt more notice should have been given of the meeting. He felt that the PC should not take this decision on its own and more discussion between the three parties would be preferable.

Peter Talbot – personal comment – the names on the agreement have been confused and the result is that the PC is no longer involved. There are a number of agreements and he felt that subsequent documents may have affected the 1982 agreement, by novation. He felt the PC may want to take legal advice

Campbell de Burgh - personal comment – he had been involved with 2 other people in the review and rewriting all the documents to bring the constitution of the Hall up to date. He commented that as a result of this work he had realised that the 1982 agreement did not have any life in it and was obsolete. He was interested in the fact that it had been confirmed in the meeting that the Club did not like the agreement and had never wanted it. Sue Jeanes confirmed this was the case.

Campbell put a question through the Chair to the Chairman of the Hall ‘are they (the Hall) content with the 1982 agreement?’ Jenny Lightfoot commented that she would not answer the question as it had to be a committee decision.

Alan Smith – personal comment - introducing himself as the longest serving resident present and the Treasurer of the Hall – commented that the Hall have not taken regard of either the 1982 or 1986 agreement and have ignored the documentation.

Peter Harrison – personal comment – that the PC should engage with the Club and the Hall.

Public participation was brought to a close with the Chairman thanking everyone for attending the meeting and for the comments made to the Council.

4. Termination of 1982 Agreement between Bladen Social Club and Parish Council

Chairman Sue Jones invited comment from the councillors

Vice Chair Charles Barter questioned whether the 1982 agreement meant that the Club had priority booking of the Hall on Monday, Friday and Saturday evenings. It was confirmed that this was the case. Councillor Barter commented that this

situation could not be good for the Hall and was a reason to terminate the agreement.

Councillor Trevor Poole - commented when he was Chairman of the Hall he was involved in the review and rewriting of the documents and looking at the agreements currently in place. The 1982 agreement had only recently come to light, having been lost for many years, and in any event neither agreement is enforced between Hall and the Club.

Councillor Lizzie Guinn – commented that in her 16 years as a District and Parish Councillor she had never experienced such unpleasantness to Councillors and felt that Parish Councillors were a group of people trying to do their best for the community. She commented that it was time to move forward, with discussion between all parties, but saw no reason to continue with the 1982 Agreement.

Councillor Mike Menzies – commented that more notice should have been given for the meeting and suggested that the proposal to terminate the agreement should be delayed until discussions between the parties had been held.

Councillor Jonathan Haigh – commented that maybe more notice of the meeting would have been preferable, giving time to discuss the proposal more fully. However, he felt that time would be better spent now in discussing the need to update the 1986 agreement, which is consistently ignored.

Councillor Sarah Lowman – commented that on visiting the History Centre she had found correspondence from the Club's Solicitor indicating that the Club should not sign the 1982 agreement. Having heard that it was not wanted by the Club during the course of this meeting, it was time to terminate it. This should be seen as an opportunity to come together and modernise agreements for the benefit of the community.

Councillor Mike Menzies put forward a proposal that the Parish Council delay the Termination of 1982 agreement and invite the BSC and VHC to a joint meeting. There was no seconder to the proposal.

A proposal was made by Councillor Lizzie Guinn that the 1982 Agreement be terminated with six months' notice, seconded by Councillor Charles Barter.

Resolution: Councillors resolved to terminate the 1982 Agreement between the Bladen Social Club and the Parish Council giving six months' notice. Voting: Unanimous.

5. To approve any associated Legal Costs.

Chairman Sue Jones advised that Mustoe Shorter had quoted £200 plus VAT to write to Bladen Social Club terminating the 1982 Agreement. Councillors agreed that this should be done by a solicitor. To a question posed to the Chair by Trevor Poole, Sue Jones informed the Parish Council that the District Solicitor, David Fairburn, had told her that his time was increasingly limited. The Council has since been made aware that his is consumed with work as a result of the creation of the Unitary

Authority. A proposal was made that Mustoe Shorter be engaged to carry out this work, proposed by Councillor Charles Barter, seconded by Councillor Trevor Poole.

Resolution: Councillors resolved to instruct Mustoe Shorter to terminate the 1982 Agreement between Bladen Social Club and the Parish Council giving six months' notice. Voting: Unanimous.

The meeting closed at 8.10pm