

Cadeby Parish Council Meeting
Friday 9th November 2012 at 7pm

Apologies Simon Freeman

Present	Councillor Winterbottom	Councillor Lane
	Councillor Morgan	Councillor Smith
	Claire Evans (Clerk)	Rachel Parrish
	Pierre Vettori	Mr & Mrs T Mutlow

Minutes of last meeting

Minutes from 28th September approved and signed off

Declarations of interest

None

Financial report

Council will need to discuss precept in light of new Council Tax support changes. Further information from LRALC awaited.

Agreed: Circulate above upon receipt
 Clerk to produce draft budget prior to meeting on 11th January 2013

Cheques approved	£26.60	PAYE	Cheque to be post-dated 31/12/12
	£348.40	Clerk's salary	Cheque to be post-dated 31/12/12

Cheques approved since last PC mtg £60 LCC parish website support

Community account: £224.74
Business Money Manager Account: £4071.50

Councillor Smith asked about the Business Money Manager (BMM) Account. Clerk explained funds earned higher interest here. Funds were transferred from the BMM (savings) Account to the Community (cheque) Account when a cheque was raised. Clerk reminded council of the Internal Auditor's advice that we do not hold more than the annual precept in reserve. Councillor Smith said it was acceptable to have a year's running costs in reserve. The remaining funds were important as they could be used to match fund any future grant opportunities, particularly with the uncertainty over the Church Hall sale and work required on the Church.

Diocese notice regarding change in covenant

Clerk's understanding was the official document from the Leicester Diocese which had 'appeared' on the Church lych-gate was informing the village of their intention to change the Church Hall covenant and remove the clause saying it could only be used as a Parish Room or Church Meeting Room. The notice was dated 18th October and any petitions needed to be received by the Diocese within 28 days of this date. The parish council had not received any formal notification.

Councillor Smith said he had sent a personal letter of objection to the Bishop of Leicester and an acknowledgement had been received confirming a copy of his letter been sent to the Diocesan's solicitor. The basis of Councillor Smith's objections lay around the disparity in price and how interested parties had not been treated fairly in the sale of the Church Hall. He felt the conveyancing process should start again because the ball park figures had dramatically changed during the lifetime of the sale, from the estimated figure of £100,000 quoted to the Parish Council some years previous, to between £40,000 - £50,000 when offered to Mr & Mrs Stanworth, and finally to an alleged lower figure of £20,000 - £30,000 for Mr and Mrs Kenefeck. Councillor Smith felt there had not been an unfair playing field with regards to price.

Councillor Smith explained that when the Church Hall was originally put up for sale, Mr and Mrs Stanworth of The Old Rectory were offered the property first as per the deeds. They had decided not to buy because of the legal complexities with the covenant meaning they would not be able to use the Church Hall for anything other than a Parish Room or Church Hall. Also the price of between £40,000 to £50,000 was too high.

At a meeting with Rev Plant and parish council representatives in June 2011, Rev Plant had agreed for the villagers to be the preferred third option should the sale to the Stanworths and/or Kenefecks fall through. The Parish Council were told the village would know either way by Christmas 2011 what the situation was. This had not happened.

Councillor Winterbottom said that any sale would have a covenant to preclude further and it would be difficult to know who would enforce the covenant. It is possible to get a copy of the deeds for £4 from the Land Registry (if they are registered.) Councillor Winterbottom explained that the Land Tribunal can modify or set aside a covenant.

Agreed: Pierre Vettori to apply for the deeds if available and reimbursed £4 (the cost of application.)

Lucy Baxter maintained the Church Hall was given to the village by Reverend Stoke's family. Council felt the Church would not be able to sell something it didn't legally own, so the assumption is they must hold the deeds.

If the covenant is changed, the church may take advantage of this because the value of the Church Hall could increase. Conversely, there would be advantages to the covenant remaining because the Church Hall would be of no value to anyone apart from the community, and the village could buy it for a nominal figure. The community meeting place would be maintained and developed.

Agreed: Clerk to write immediately to the Diocesan Registrar and:

- Ask for an explanation of the process involved to change the covenant
- Object to the change in covenant on the basis that the Church Hall is the only community space
- Object to the disparity in price and how interested parties had not been treated the same
- Request a copy of the deeds because until such time as these have been reviewed (post-meeting no deeds were available to download from the Land Registry website) the Parish Council and community are not in an informed position
- Make the diocese aware that the official notice posted on the lych-gate did NOT appear to have been completed correctly (not dated correctly or signed) and this failure could affect the 'legality' of the consultation process

- Explain that once the Parish Council had received this information it could give an informed response and until such time the process should be halted

Agreed: Councillor Lane offered to contact the Diocesan Office on Monday 12th November for a verbal response to above.

There was some confusion as to whether the official notice was a Church or Civil matter. Exactly what powers did the Church have in this regard? Are they judge and jury and in the end could make the change?

Planning applications

12/00820/TPOCA	Removal of two trees and shrubs	Rectory Ln (H&BBC applicant)
12/00839/hou	Extension and alterations to dwelling	Highfields, Hinckley Rd
12/00898/TPOCA	Works to Weeping Willow	The Stables, Church Lane

Agreed: No objections to the above applications

Footpath to Brascote Lane

The reinstated footpath had failed with bad water logging and puddling.

Agreed: Councillor Winterbottom to raise with LCC

Parish and Community Initiative Grant

Clerk made council aware of an H&BBC grant available for 50% or £10,000 match funding. Apply by February 2013. H&BBC will advise all applicants in June 2013, and any funds awarded must be spent by January 2014.

Agreed: Councillor Smith to apply for monies towards Church Hall, and if that falls through, for funding towards church renovations which will need match funding.

Rachel Parrish explained that she had submitted a proposal to English Heritage for repairs to the church following professional advice from local architect. The first phase has been agreed and she and Diana Morgan should have further confirmation in December. Full roof repairs were £50,000 but the grant applied for was £130,000, with the remaining funds being raised from donations and other grants eg possibly H&BBC Community Initiative Grant. Total repairs £180,000 - £190,000.

Rachel explained the parish would need to show English Heritage of their ability to raise funds.

Agreed: Councillor Smith to put Parish and Community Initiative application together

Unauthorised developments

It would appear the former Bijou Stables is being used as commercial premises and a static caravan at Naneby Hall Farm has appeared.

Agreed: Clerk to write and ask H&BBC to investigate these possible unauthorised developments

West Leicestershire First Responders

Annual report noted. Application for donation held for financial year end meeting when all requests can be considered.

HMP Lowden community letter

Agreed: Council agreed not to take up HMP Lowden on their offer.

Noticeboard

The noticeboard remains in a very poor state and is a health and safety issue for passer-bys. Clerk explained that by law the parish has to display certain notices eg, Police Commissioner Elections, Parish Council Elections, Parish Council meetings, agendas etc. Tim Richardson from Michaelmas House had approached the clerk regarding dormant funds in the Cadeby Cricket Club (no longer running.) Tim felt these funds could be used to pay for something in the community, ie a new noticeboard (suggested by Clerk.) Tim Richardson to contact the Clerk once a decision has been made by all old members.

Agreed: Clerk to chase up contacts for a price to replace. This needs to be done as soon as possible as there are concerns that if the Church Hall is sold, there may be no other easy place to site the noticeboard.

Next PC meeting

Agreed: 11th January 2013