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# PUXTON PARISH COUNCIL

Puxton & Hewish

**Clerk: Donald Hill**

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## Minutes of the AGM & Ordinary Meeting on 5th April 2018 at 7.30pm in the Village Hall

**Present:** Cllrs Sue Popperwell, Peter Penfold (arrived at 7.15), Jim Corbett, Jim Howard, Lynda Redding

**In Attendance:** Cllr Tom Leimdorfer (NSC), Don Hill (Clerk)

**Public Attendance:** 3

*Everyone warmly welcomed Cllr Redding to her first Council meeting*

**42/18 APOLOGIES FOR ABSENCE:** Cllr Clayton Penfold

**43/18 ELECTION OF CHAIR & VICE CHAIR:** The Clerk called for nominations for the position of Chair. Cllr Corbett proposed Cllr Popperwell, Cllr Howard seconded the proposal and it was unanimously carried. The meeting decided to continue the practice of having a Vice-Chair, which post has been vacant since Cllr Wilson left the area. Cllr Popperwell proposed Cllr Corbett, Cllr Howard seconded the proposal and it was unanimously carried. Cllrs Popperwell and Corbett completed Declarations of Acceptance of Office and Cllr Popperwell took the Chair.

**44/18 APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES:** none were made.

**45/18 CHAIRMAN'S REPORT** *(Was delivered at the immediately following Annual Parish meeting)*

**46/18 DECLARATIONS OF INTEREST AND DISPENSATIONS:** Cllr Redding completed a Dispensation re Hewish & Puxton Village Hall, where she is chief fund-raiser and a Director of Hewish & Puxton Village Hall Ltd.

**47/18 PUBLIC SESSION:** No matters were raised.

**48/18 REPORTS: Ward Cllrs Report** - Cllr Leimdorfer presented this at the following Annual Parish Meeting.

**49/18 MINUTES OF THE LAST MEETING:** 5th April 2018 were agreed, and signed by the Chair.

**50/18 MATTERS ARISING NOT DEALT WITH ELSEWHERE:** None.

**51/18 POLICING AND TRAFFIC:** No reports

### **52/18 NORTH SOMERSET COUNCIL MATTERS**

**Stonebridge Farm:** Awaiting NSC update. No further complaints received.

**A370 Footpath:** The overhanging hedgerows are due to be flailed towards the end of June. The Glendale quote for clearing two sample patches of footpath was prohibitive and consisted largely of rubbish clearance and traffic control charges. NSC are considering an alternative route to getting the work done and will keep the Council briefed.

**Puxton Road Drainage at Wyndham Grange & Puxton Lane Grip:** Works awaited - Minute 008/18 refers. These works stand at item 25 on the current list of works.

**Puxton Road Gully at Council Houses:** This is on the works list for jetting. A date is awaited.

**Potholes: Maysgreen Lane/Puxton Road Junction:** NSC plan to repair these with the jet patcher; a hired-in piece of kit with a long queue of works to be done. Completion during the current hire season is hoped for, but not guaranteed.

**St Anne's Car Park:** The lease transfer from NSC to Priory Academy Trust is progressing.

**East Hewish Rail Crossing:** The meeting agreed to supply a grit bin at a cost of £150 via the Parish Maintenance budget. NSC will refill at no cost when alerted. A shovel will ideally be needed. Clerk to organise.

#### 53/18 OTHER MATTERS

**BT Poles:** Oldbrook bridge to Willow Farm trees: Job ref VOL013-269612756552. Clerk to chase.

**File backups:** Chair given a memory stick backed up to date. This will happen at each future meeting.

**Councillors:** 1 Vacancy.

**GDPR:** ALCA hope to provide regulatory facilities via NALC.

**St Anne's Defibrillator:** £250 due from the Community Fund. Clerk to organise.

**NSC Free Flowers Scheme 2018:** Cllr Popperwell to collect and organise - plants due in early June.

**Puxton/Road/Lane Junction Triangle:** Damaged. [Cllr Popperwell to organise a resident-mounted repair.](#)  
[Clerk to update the person reporting the problem.](#)

#### 54/18 FINANCE

**2018-19 Opening Accounts:** pre-circulated with meeting papers, reviewed and noted.

**2017-18 Audit:** Internal Auditor has completed his audit with no issues. Public notices prepared.

**Annual Governance & Accountability Returns (AGAR) Certificate of Exemption:** the decision to certify the Council as exempt was taken, the Certificate signed. Clerk to send to the external auditor.

**Community Fund:** Standing orders were suspended to allow discussion of the Hall Chair's plea for urgency in agreeing a draft charge as explained in the annexe attached to these minutes. Standing Orders were re-instated. The meeting unanimously agreed that the Clerk brief the Council solicitor that all that is required from him is a simple two paragraph charge that contains absolutely no other condition than the charge on the land. Clerk instructed to progress urgently.

**Cheque: 100214** Adrian Leonard re Parish Maintenance £160.00. **100215** D Hill refund re Memory Sticks £21.98 + Monthly Expenses adjustment for April £34.30 = £56.28. **100216** Phil Smith re Audit.

#### 55/18 PLANNING (*Enforcement Report March 2018*)

**New: 18/P/2668/FUH** Apple Tree Cottage rear extension. No objections.

**Decisions Due: 18/P/2548/FUH** Clover Cott extension. **18/P/2612/FUH** Rosemary Cottage annexe. **17/P/2567/F** Heathfield pitches.

**Appeal APP/D0121/W/ 17/3179037:** re 16/P/2843/F Storage containers at Heathfield Park.

#### 56/18 COUNCILLORS' REPORTS

**Cllr Popperwell:** Following from April minute 030/18, the chair has received a complaint from resident Colin Barker re the conduct of The Clerk. Members will investigate this as a staffing issue outside the meeting and report back to the Council with a view and any necessary disciplinary action when their work is completed.

#### 57/18 DATE OF NEXT MEETINGS

Thursday 7th June 2018, at 7.30pm, in the Village Hall.

**The meeting closed at 7.55pm**

### **The Purchase of Hewish & Puxton Village Hall**

*An explanation of the need for urgency in agreeing a draft charge relating to the Community Fund contribution of £40,000*

Sufficient funds have been raised, assuming the grant from the Community Fund is forth coming.

The current lease for the building is held by past and current members of the Management Committee, but is nominally held by the Management Committee and vested with the Charities Commission. It will be surrendered when the Hall is purchased.

The Management Committee set up a limited company, Hewish and Puxton Village Hall Limited, to purchase the Hall, but have been subsequently advised that the vehicle must be a Charitable Company.

The Charity Commission normally take 12 weeks to agree a Charitable Company. We have been told that in some circumstances they will do it quicker. In order to progress the process there has to be £5,000 in the company bank account.

The Landlord required exchange of contracts for the sale before the 5th April 2018 for tax purposes.

We exchanged contracts on 4th April for the consideration of £1, with a 3 months completion, taking completion to 4th July 2018.

The contract is between the Landlord and our company, that must be a Charitable Company by that date.

If we are unable to complete on this date the Landlord could sue for breach of contract. This will mean we will lose the Hall, the £1 consideration and if there is any more money in the Company bank account we would lose that too.

#### **Problem**

The Parish Council are insisting that a "charge" be put on the land so that the grant of £40,000 is returned should anything go wrong in the future.

In order to facilitate the purchase of the Hall, the Management Committee are willing to accept a "charge", subject to it being suitable,

Currently we have still not received the draft "charge".

Without agreement on the "charge" we do not know if the grant will be forth coming. We, therefore, cannot be sure that the Hall will be purchased.

Consequently, we cannot put the £5,000 into the bank account to start the process to make the company Charitable. As the Landlord could, if he was minded, sue the company for breach of contract and claim the £5,000.

#### **Solution**

Swift agreement of the "charge".

This can only happen if the PC's solicitor send the draft "charge" to the Hall's solicitor within the next few days.

**C.R.**  
**May 3rd 2018**