

BARHAM PARISH COUNCIL

MINUTES OF THE EXTRAORDINARY PARISH COUNCIL MEETING HELD IN BARHAM CHURCH HALL ON WEDNESDAY 30th MARCH 2023, 7.00pm.

PRESENT: Chairman Darren Milward, Vice Chairman Frances Milward, Cllr Jeremy Lea, Cllr Brenda Mitchell, Cllr Oliver Wastell & Cllr Casey Woollorton.

Also present: SCC Cllr Chris Chambers, BMSDC Cllr John Whitehead, 15 members of the public and the Clerk.

OPEN FORUM

The Chairman welcomed everyone to the meeting.

Member of the public asked if the premises at the Country Park is to be rented out will it be treated as a commercial property and who will be liable for the taxes?

The Chairman advised that this will be down to the tenant and that the Parish Council will draw up terms and conditions.

Member of the public asked if an EPC will be carried out on the premises?

The Chairman informed that an EPC has not been carried out, the Clerk will seek advice if an EPC needs to be carried out for a rental property. The tenant will need to get insurance cover for possessions at the premises. However, the Parish Council will take out insurance to cover the building (£250k) and for the toilet block (£130k), the whole of the Country Park is also covered on the insurance policy.

Member of the public asked if any financial checks will be carried out on a tenant?

The Chairman advised that credit checks can be done.

Member of the public is disappointed not to have seen a draft heads of terms or draft lease before the PC meeting. He notes that the Country Park is listed at the value of £1 on the Parish Council Asset Register, surely a true valuation should be carried out.

The Chairman advised that a Risk Assessment is in hand for the Country Park and will be put in place before the park opens to the public. Some warning signs will also be erected eg. Dogs must be kept on Leads, Speed Limits, Cars parked at owners risk etc.

Member of the public raised concerns about a commercial vehicle business operating at the Country Park, is this appropriate?

The Chairman informed that the workshop has always been used for mechanical purposes. However, a change of use will need to be applied for as BMSDC do not have anything on record.

Cllr Lea informed that it is hoped that a community building will be built on the community land at the bottom of Church Lane, but he cannot say when. He would like to get a committee up and running to take this forward.

The Chairman informed that the rent from the premises at the Country Park will bring in an income to help with the running costs of the Country Park.

Member of the public cannot see how the Country Park project is currently benefitting the community at a cost, so far of approx. £40,000.

Cllr Lea advised that the £40,000 budget was discussed and approved along with the Parish Council agreeing on a tenant at the November meeting. 3 previous people have failed to do anything with the whole site over the past few years.

Member of the public would like all of the community to be happy with the use of the premises. The Chairman thanked the members of the public for their input.

1.03 APOLOGIES FOR ABSENCE

a. To Receive Apologies for Absence. Cllr Andrew Akhurst due to work commitments.

b. Parish Council to give Consent/Non Consent to Absence.

The Clerk did not receive Cllr Akhursts apology until after the meeting.

Chairman's initials.....

2.03 COUNCILLORS DECLARATION OF INTERESTS - Declaration of any pecuniary or other interests with regards to any item on the agenda. None.

3.03. TO APPROVE FURTHER SPENDING ON THE BARHAM COUNTRY PARK, TO ENABLE THE PARK TO OPEN TO THE PUBLIC AND TO INCLUDE PARISH COUNCIL MONEY, £7950.56 TO BE USED FOR BARHAM COUNTRY PARK.

The Chairman advised that the Country Park is close to being open to the public again. The cost to get the park open again to the public had originally been projected at £25,000, but £40,000 was budgeted for, currently £33,584.98 has been spent on the Country Park, a further £7,905.56 to be allocated from the CIL money for the new fencing. He anticipates that the total spend will be approx. £47,000.

The extra spending has been due to having to bring the toilet block building up to Health & Safety standards and also to make wheel chair accessible. The building had to therefore be stripped back to a shell and restart from fresh which included new roof, plumbing and electrics. UK Power Networks are laying and connecting the electrics to the buildings, to save money The PC can arrange for the ground works to be carried out. The Vice Chairman is trying to get reimbursement from British Gas for all the payments which the Parish Council has made to them, despite no electricity being connected to the buildings.

The Chairman then asked for a show of hands for approval that the £7,905.56 CIL money is allocated to the new fencing at the Country Park and also to increase the total spend to complete the Country Park works to £47,000. 4 was for and 2 against. The vote was carried, proposed Cllr Lea seconded

Cllr Wastell.

SCC Chris Chambers informed that he will be giving £3000 from his new Locality Budget to help complete the works. The Chairman thanked him for this.

The Chairman also informed that Highways Assurance have helped out in a big way with donating gravel and tarmac at the park.

The Chairman thanked the Parish Council for its support during the process of getting the Country Park reinstated.

The Clerk updated the PC on the current grant applications for the Country Park as follows; Unfortunately, after contacting all of the surrounding parishes to ask them for their financial support to get the Country Park back open to the public, none have made any contribution.

BIFFA – Play equipment application was unsuccessful.

SUEZ – Play equipment application has been submitted and waiting decision mid May.

VIRADOR – Play equipment, part 1 of the application has been approved. Part 2 needs to be submitted by 30th April along with the summary of the recent survey. A Business Plan is needed to accompany this application.

Cllrs John Whitehead and Tim Passmore have given £3693.71 from their 2022/23 Locality Budget towards the new play equipment.

BMSDC CIL Expenditure Application – Play equipment, a business plan is also needed to accompany this application. Application needs to be submitted in May, if not will have to wait until October!

BMSDC Communities Grant Application – Play Equipment

Clerk has been advised by BMSDC not to put the application through until there next financial year, April 2023. However this application is also awaiting confirmation from SUEZ, Virador how much they are likely to give.

BMSDC Section 106 Application – MUGA, currently on hold as we need a whole host of additional information before the application can proceed (we have until 31st December 2023 to apply);

The MUGA specifications need to be in line with Sports England Guidelines. Planning permission to be applied for. A Business Plan is needed. Surrounding sports groups need to need indicate what they would use the facility for and how often.

Chairman's initials.....

4.3. TO CONSIDER A TENANT AGREEMENT FOR THE USE OF THE WORKSHOP BUILDING AT BARHAM COUNTRY PARK.

The Chairman reminded the PC that in November 2022, 3 applicants were considered to rent the workshop premises and that the car mechanical business was agreed for a 12 month tenancy. The business to pay £600 a month, but has already spent a great deal of money to date in making the building safe to use. The business would therefore like a 5 year tenancy instead of a 12 month tenancy to safeguard the outlay already spent. The Chairman asked for the approval of the Parish Council to agree to a 5-year tenancy by show of hands, 4 are for the proposal and 2 against.

The Clerk advised the Parish Council that a resolution cannot be changed for 6 months after it was approved (May 2023).

Cllrs Mitchell & Woollorton do not agree to a 5-year tenancy. The PC voted on a 12 month tenancy which was resolved in November 2022. He also suggests that the PC should have put the tenancy out to tender, has the standing orders been adhered to?

The Clerk will seek guidance from SALC on the following;

If the tenancy should have been put out to tender (will also check the PC Financial Orders)?

Does the building need to have an independent valuation?

At 7.45pm the Chairman adjourned the meeting.

Chairman

Date

NB: SALC has confirmed the following.

If the tenancy should have been put out to tender?

SALC confirms that;

A Tenancy is not procuring anything (eg not selling anything) and the rules around public contracts do not apply. However, under s.127, Local Government Act 1972, you are required to seek the best price (rental) unless it is a short tenancy, i.e. under 7 years.

The Clerk has checked the Financial Orders, and they are in line with the above.

Should the value of the Country Park be shown on the Asset Register as more than £1.00?

SALC confirms that;

Where an authority receives an asset as a gift at zero cost, for example by community asset transfer, it should be included with a nominal one-pound (£1) value as a proxy for the zero cost.

An independent valuation is NOT required.

SALC has also confirmed that it is business as usual leading up to the elections, the council can continue to spend money.