

## BRITWELL PARISH COUNCIL

### MINUTES OF THE MEETING OF BRITWELL PARISH COUNCIL HELD ON WEDNESDAY 16<sup>th</sup> JANUARY 2019 AT 7.05 P.M. IN THE PARISH COMMUNITY CENTRE

**Present** Cllr J. Finn (in the chair)  
P.Murphy and S.Wright.

**In Attendance** : Mr. J. Holder (Locum Clerk) ;  
Mr & Mrs Lewin; Mr. O.Isernia (part only)

#### **19/1/PC Public Discussion**

Discussion in respect of Mr & Mrs Lewin's booking to be considered under Matters arising.

#### **19/2/PC Declaration of Interest**

Cllrs Murphy and Wright declared an interest in respect of payments under agenda item 12.2.

#### **19/3/PC Apologies**

Apologies had been received from Cllrs. R Anderson; M. Carter and Mrs J Finn.

#### **19/4/PC Minutes of the meetings held on 21<sup>st</sup> November and 3<sup>rd</sup> December 2018**

The minutes of Parts 1 and 2 of the Council meeting held on 21<sup>st</sup> November and the meeting on 3<sup>rd</sup> December 2018 were **approved** as an accurate record of the meetings and signed by the Chairman.

#### **19/5/PC Matters Arising (not covered elsewhere on the agenda)**

5.1 *Hall Bookings (item 18/153.1)* – The Locum Clerk said that Mr & Mrs Lewin had delivered a written appeal concerning their Hall booking of 30 November. As this was received at the start of the meeting and raised a number of issues, it had been agreed to defer it to this meeting. He said that it raised three main issues which he had looked into -a) the return of the £150 deposit; b) the behaviour of Cllrs Wright and Murphy towards Mr & Mrs Lewin on the night of the party and c) the costs of £50 incurred for a doorman.

5.2 The Locum Clerk said that the key factor had been that on the Application Form, in the line for "Purpose of Hiring", the description "18" or "18<sup>th</sup>" had been blacked out before the words "*Birthday Party*". Following another 18<sup>th</sup> Birthday party last year where there had been a number of incidents, the Council had seen the need to require door security if they were to allow such parties. As "18<sup>th</sup>" had been deleted, the Bar tenants responsible for the Function Bar had not been aware beforehand that it would be an 18<sup>th</sup> Party. When Cllrs Wright and Murphy were called to the Hall, they noted from the Form in the office that "18<sup>th</sup>" had been deleted. In the heat of the moment, it would appear that there was emotion on both sides. A doorman was duly obtained. The Lewins said that they had not deleted the "18<sup>th</sup>" and noted an earlier email from them which had referred to it. The Locum Clerk said that:-

- a) it was unclear who had deleted "18". However it would not appear to have been done by the hirer and therefore he recommended the return of the £150 deposit;
- b) on the night of the party, Cllrs Wright and Murphy had been called in at short notice and it was unclear who had deleted "18". It was an emotionally charged situation on both sides and whilst upsetting, this should be taken no further;
- c) on the basis that for an 18<sup>th</sup> birthday, the hirer should in any event incur a doorman, he thought that costs should be down to the hirer.

5.3 Mr Lewin challenged the final recommendation on the basis that they had not been aware that they would incur such a cost. Following consideration, it was **agreed** no further action be taken in respect of councillors' behaviour (Cllrs Wright and Murphy noting an interest) and to return both the £150 deposit and the £50 for doorman costs to the hirer.

*(Mr & Mrs Lewin left the meeting)*

#### **19/6/PC Co-Option of a Member**

6.1 The Locum Clerk said that the Notice of Vacancy for Office had been put up on 28 November and following the 14 working days notice, it was open to the Council to fill the vacancy by co-option. He had received no applications. Mr Isernia said that he would wish to put himself forward to be co-opted. The Locum Clerk confirmed that the circumstances relating to Mr Isernia's earlier resignation had now lapsed and it was open to Mr Isernia to be co-opted. Following consideration, it was **agreed** to co-opt Mr Isernia as a councillor. Cllr Isernia would need to complete a Register of Interest form. **Action: Locum Clerk/ Cllr Isernia**

#### **19/7/PC NET & Neighbourhood Police Team**

7.1 No report.

#### **19/8/PC Updates from Outside Bodies**

8.1 No report.

#### **19/9/PC Planning**

9.1 There were no applications.

#### **19/10 /PC Community Governance Review 2018**

10.1 The Locum Clerk said that further to the recommendations made to it on 27 November, Slough BC had agreed at its Council meeting on 18 December 2018 to abolish Britwell Parish Council, and also Wexham Court Parish Council, as of 31 March 2019 following which all their assets would be transferred to Slough BC. Further to that, Slough BC had issued on 15 January a formal Order to that effect – The Slough Borough Council (Reorganisation of Community Governance) Order 2019, which he had circulated.

10.2 Further to the two- track approach agreed at the previous Meeting, the Locum Clerk had written to the Head of Democratic Services at Slough BC in advance of the 18 December Slough BC Council meeting. She had replied that a "without prejudice" meeting might take place in the new year following the Slough BC decision; he had not heard further from her but had recently rewritten to her. He had also in the meantime been contacted by the Slough BC officer, Mr Thobhani, who was responsible for the transfer of assets.

10.3 In respect of judicial review being the first prong of the two- track approach, the Locum Clerk had sought quotes from three different law firms and had selected Wellers Hedleys, a firm experienced both in local government and judicial review which had been recommended by BALC. Costs were £290 per hour for the partner and £225 per hour for the associate solicitor. In due course, Counsel's opinion would be sought in respect of legal action and this, together with any legal proceedings, would incur further costs. The Locum Clerk would monitor costs. The first stage would be to obtain advice and subject to such advice, seek judicial review. Members **approved** the appointment of external lawyers to advise and take legal action for judicial review. Members noted in respect of Cllrs Anderson and Carter that, as being also Slough BC councillors, they would be conflicted and should not receive any legal advice given in this matter. Members **agreed** that Mr Holder was authorised on behalf of the Council to take all necessary steps in seeking judicial review to overturn the abolition decision and

subsequent Order made by Slough BC to abolish the Council. Members further **agreed** that Mr Holder was authorised on behalf of the Council to deal with Slough BC both in respect of any “without prejudice” discussions and also in respect of any proposed transfer of assets.

10.4 Mr Holder noted the need to inform staff of the position and it was **agreed** that he should write to them .  
**Action: Locum Clerk**

*(Cllr Isernia left the meeting)*

#### **19/11/PC Summer Celebration 2019**

11.1 The Locum Clerk noted that Mr Vyas had agreed to cancel the project meeting for this scheduled before this Council meeting as Mrs Roles currently would not be involved with NAG and requested that he determine the Council’s position. Following discussion, it was agreed :-

a) in light of the Order for abolition and dealing with that, the Council should not commit to any project planning for this;

b) however arrangements should be made to confirm the FunFair and Cllr Wright would arrange this.  
**Action: Cllr Wright**

#### **19/12/PC Community Centre and Sports Ground**

12.1 *Premises Repairs* - The Locum Clerk noted that his focus would be on the judicial review and dealing with Slough BC. It was **agreed** that members of the Premises Working group would take forward outstanding Premises work and repairs ,such as the perimeter fencing.

**Action: Action: Cllr Wright/Isernia/Finn**

12.2 Cllr Wright noted that he had sought quotes for the refurbishment of the football changing rooms which had been undertaken by Mr Barbour before Christmas; this was **approved**.

**Action: Action: Cllr Wright/Isernia/Finn**

12.3 *Hall Deposits* –There were no issues concerning recent bookings.

#### **19/13/PC Finance**

13.1 *Income & Expenditure* - The income and expenditure and bank reconciliations for November and December 2018 were **approved**. Mr Holder noted the £15,000 received in December from Aviva in settlement of the insurance fraud claim. He would be challenging this settlement figure with the Insurance Ombudsman.  
**Action: Locum Clerk**

13.2 It was **agreed** to ratify the approval of the following cheques which had been issued since the last meeting but prior to this meeting:-

- £150 to J Runham to reimburse Hall deposit for 2 December;
- £150 to R Ebrahim to reimburse Hall deposit for 8 December;
- £150 to S Naroju to reimburse Hall deposit for 9 December;
- £150 to A Martin to reimburse Hall deposit for 20 December;

13.3 In addition to bank payments and direct debits, it was **agreed** to approve the following cheques:-

- £72.00 (inc VAT) to Economic Hygiene Solutions for ladies sanitary bins;
- £148.27 to P Murphy to reimburse for staff Christmas gifts (£60) and for toilet products( £48.95 and £39.32)
- £3,115.00 to S Wright for Grounds maintenance (May – December) ;

- £1,875.00 (inc VAT) to Manorcott Legal & Business Services for Locum Clerk's services;
- £200.00 to Mrs Lewin to reimburse £150 Hall deposit for 30 November plus £50 costs (see minute 19/5.3);
- £150 to J Oraa to reimburse Hall deposit for 27 January;
- £150 to C Allchin to reimburse Hall deposit for 12 January;
- £1,620.00 to R Barbour for Changing Rooms refurbishment.

**19/14/PC      Chicken Ranch Bar**

14.1 The Locum Clerk confirmed that he had written to the Tenant, but they had given apologies for illness. Members expressed concern at the continued failure of the Tenants to attend a meeting and noting outstanding sums, **agreed** that the Council should retain all sums which following the meeting, was to be emptied from the pool tables.

**18/15/PC      Any Other Business**

15.1 There was none.

**18/16/PC      Next Meeting**

The next Full Council Meeting to be at 7.00 pm on Wednesday 20<sup>th</sup> February 2019.

The meeting closed at 8.45 pm.

Signed as a true record of the meeting

.....Chairman

Dated.....