

## BRITWELL PARISH COUNCIL

### MINUTES OF THE MEETING OF BRITWELL PARISH COUNCIL HELD ON WEDNESDAY 17<sup>th</sup> APRIL 2019 AT 7.10 P.M. IN THE PARISH COMMUNITY CENTRE

**Present** Cllr S.Wright (in the chair)  
Cllrs. R Anderson, M. Carter, Mrs J Finn, and P.Murphy .

**In Attendance** : Mr. J. Holder (Locum Clerk) ;

#### **19/57/PC Declaration of Interest**

Cllrs. Anderson and Carter each made a general declaration that he was a member of Slough BC and specifically in respect of agenda item 8.

#### **19/58/PC Apologies**

Apologies had been received from Cllrs. J Finn and O.Isernia.

#### **19/59/PC Minutes of the meeting held on 20<sup>th</sup> March 2019**

The minutes of the Council meeting held on 20<sup>th</sup> March were **approved** as an accurate record of the meeting and signed by the Chairman.

#### **19/60/PC Matters Arising (not covered elsewhere on the agenda)**

60.1 *Pool Table (item 19/27.2)* – Cllr Wright said that the local club which had received the defective pool table was Farnham Royal Gay Club.

60.2 *Field Hire (item 19/27.3.3)* - Cllr Wright said that he had contacted the East Berkshire League who had said that they would not permit Britwell FC to play in the Final unless they paid the outstanding £400.  
**Action: Cllr Wright**

60.3 *Premises Repairs (item 19/52.1)* – The Locum Clerk had requested further details for the perimeter fencing quotes.  
**Action: Locum Clerk**

#### **19/61/PC NET & Neighbourhood Police Team**

61.1 There was no report. Cllr Wright said that the police were now so stretched that they were even struggling to attend NAG meetings .

#### **19/62/PC Updates from Outside Bodies**

62.1 Cllr Murphy reported that for Easter, it had been open last week in the daytime, with 40 in daytime and about 60 in the evening. There were a lot of new members. Get Berkshire Active had earlier in the day been running skateboarding and BMX events in Monksfield Park and would be running rugby and football tomorrow.

62.2 Cllr Wright said that the Youth Club had employed two new part time staff. He was particularly impressed by one as she had got the children very involved.

#### **19/63/PC Planning**

63.1 *Planning* - Notice of a planning application had been received in respect of 9 Dove Crescent but it was noted that this was outside of the parish. However no notice had been received about a planning application for 22 Cecil Way which is in the parish area. The Locum Clerk was requested to contact Slough BC Planning.  
**Action: Locum Clerk**

63.2 *Heathrow Airport* – Mr Holder said that Heathrow Airport had written to local organisations, including the Council, in respect of an Equality Impact Assessment it was undertaking by 7 May in respect of the proposed development of a third runway at Heathrow Airport. He noted that although there might be impacts on the parish, both negative such as increased traffic and positive, such as potential new job opportunities, the report issue was in general terms. Mr Holder would contact Mr Paul Stimson at Slough BC to enquire if he had specific information applicable to the parish area and insofar as he did, the Locum Clerk would use to respond on behalf of the Council before the 7 May deadline. **Action: Locum Clerk**

#### **19/64 /PC Community Governance Review 2018: Abolition Order & Judicial Review**

64.1 The Locum Clerk said that further to the full hearing the previous Wednesday of the judicial review application claims brought by both the Council and Wexham Court Parish Council against Slough BC for its Order to abolish both parish councils, Mr Justice Lewis had today given his judgement in favour of the parish councils and had quashed the Abolition Order. Mr Holder had received this only about an hour before the start of the meeting.

64.2 Mr Holder said that at the heart of the case was Slough BC's view that even though a majority of local voters were against abolition, as was the result following the local poll of voters, nonetheless if there were a sizeable number of voters, albeit a minority of those polled, then if Slough BC thought it was justified in abolishing the parish council, it could do so. The judge had made it clear that that was wrong and that the defendant, Slough BC, could not lawfully make the Abolition Order. Mr Holder quoted from Mr Justice Lewis who stated:-

The defendant misinterpreted paragraph 120 of the Guidance and, as a result, erred in concluding that its decision to make the Order was consistent with the Guidance. In those circumstances, as the decision to make the Order was materially influenced by that legal error, the Order must be quashed. For that reason, these two claims for judicial review succeed.

64.3 Mr Holder awaited information as to whether or not Slough BC would seek to appeal against this decision and also what order had been made for costs. Whilst the Council should not expect reimbursement of 100% of its costs incurred, which were almost £40k, he would still expect that much of the costs should be recovered.

#### **19/65 /PC Annual Governance & Audit Return (AGAR) 2018 -19**

65.1 Mr Holder noted that the Internal Auditor, Mr Barrie Dancer, had been appointed last Autumn, both to conduct an interim review then and also for the full year end review now (see minute 18/141/PC).

65.2 Following discussion, the Council **agreed** to write off the debt of £980.06, dating back three years, owed by Ms Woodley.

65.3 In terms of other matters which might be raised on the year end accounts and audit, Mr Holder noted:-

65.3.1 *Fidelity Insurance Claim* – Following the decision by insurers to limit their pay-out to £15,000, Mr Holder had written to the Insurance Ombudsman to challenge this; this was currently being considered.

65.3.2 *Website Fees* – As previously reported, the website hosting service had written after 3 years to claim fees of £800 which the Locum Clerk had queried. Despite several

chasers, he still awaited a response. Members generally noted that the website needed updating and that the Council should consider a move to a new provider.

## **19/66/PC Community Centre and Sports Ground**

66.1 *Slimming World* – Cllr Murphy noted that Ms Rooney would cease to run these two weekly sessions on 3 May and that each slot would separately be taken over by another lady; she would provide contact details for the Locum Clerk . **Action: Locum Clerk**

66.2 *Hall Booking (26 May)* – The Locum Clerk noted that whilst originally understood to be a community event, this was being advertised online and he had written to the hirer for further details. Cllr Murphy said she had been separately advised that the hirer wished to have a BBQ. Agreed that the Clerk should review following hirer's response to his questions, to determine whether or not the event should proceed. **Action: Locum Clerk**

66.3 *Return of Deposit* – Cllr Murphy said that Mr Morten had now cancelled his 14 December booking as his relative unwell and accordingly **agreed** that the deposit should be returned.

## **19/67/PC Finance**

67.1 *Income & Expenditure* - The income and expenditure and bank reconciliation for March 2019 were **approved**. Mr Holder highlighted several items in the Cashbook. All outstanding moneys had been received from Glad Tidings. Also the collection of all pool takings following the last Council meeting, although the actual percentage share due to the Council could not be determined until receipt of up to date accounts from the Tenant.

67.2 Mr Holder was pleased to note payment of the final instalment of loan repayment to the Public Works Loan Board in respect of a loan made about 20 years ago for building works at the Community Centre.

67.3 It was **agreed** to ratify the approval of the following payment made by electronic transfer since the last meeting but prior to this meeting:-

- £770 to Wellers Law Group LLP for court fees in respect of the BPC v SBC judicial review action.

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

a) to be made by cheque -

- £761.28 (inc VAT) to Secom plc for the annual alarm monitoring and rental fee;
- £72.00 (inc VAT) to Economic Hygiene Solutions for ladies sanitary bins;
- £2,217.00 (inc VAT) to Manorcott Legal & Business Services for Locum Clerk's services and disbursements (rail tickets to attend court hearings);
- £16.04 to Mr Holder to reimburse for postage;
- £150.00 to Jeff Morten to reimburse £150 Hall deposit for 14 December (see above);

b) to be made by electronic transfer, all to Wellers Law Group LLP in respect of the BPC v SBC judicial review action -

- £7,735.20 (inc VAT) for interim legal services;
- £10,179 (inc VAT) for interim legal services;
- £20,988.08 (inc VAT) for Counsel's services, as invoiced by Wellers Law Group

LLP

67.5 Mr Holder noted that in respect of the cheque for £180 issued to Slough BC Licensing, they had phoned earlier that week to say that the sum had been paid by the Tenant and so this cheque would be returned.

67.6 Members also **ratified** approval given since the last meeting but before this meeting to share costs 50/50 with Slough BC for Election poll cards, at an estimated cost of £6k – 8k.

**19/68/PC      Chicken Ranch Bar**

68.1 Mr Holder reported that solicitors had been focussed on the judicial review action but following judgement in that case, they would shortly be addressing the issue of outstanding payments by the Tenant..

**19/69/PC      Any Other Business**

69.1 *Summer Celebration 2019 (item 19/22.1)* -Mr Holder said that he would contact Mr Vyas of Slough BC Events but bearing in mind the short period before the event and the knowledge that NAG also would not be involved, there might be little feasible to do. However members **approved** permission for local community organisations to set up their stands without charge on the fields.

69.2 *Elections on 2nd May* – The Locum Clerk noted that this was the final meeting of this Council before the Elections due to be held on 2<sup>nd</sup> May following which a new Council would be elected. He expressed his appreciation for the support given to him by all the members.

**19/70/PC      Next Meeting**

The next Full Council Meeting to be following the Annual Parish Meeting at 7.00 pm on Wednesday 15<sup>th</sup> May 2019.

The meeting closed at 8.28pm.

Signed as a true record of the meeting

.....Chairman

Dated.....