

**Minutes of the Extra Ordinary Meeting of  
LONGHOPE PARISH COUNCIL  
held online on Monday 28 September 2020**

PRESENT: Cllrs. S Collins, G Nicholas and A Toomey

IN ATTENDANCE: Mr I Barrett (Clerk) and 19 local residents

1. There were no apologies for absence
2. There were no declarations of interest
3. There was considerable discussion in Public Forum

A local resident wished to clarify certain points as to the draft Longhope Recreation Ground Committee rules and stated that the rules currently stipulate that the Committee will comprise of up to four parish councillors, with three in attendance, so as to cover absenteeism. These will be appointed at the Parish Council's annual meeting in May, The Committee will also include three non-councillor members elected from amongst the residents. The position of Chair and Treasurer will be from the Council members, whereas the role of secretary will be from the residents. It was suggested that there were alternatives to this Committee composition and that a better option was for a Committee of eight, to comprise four Parish Councillors and four local residents, with the position of Chair and Treasurer being taken from the residents.

A comment was made that it was important that the council to take note of the concerns from the villagers, particularly as the Council consisted of three unelected members. The Chair pointed out that two of the current Council membership were elected.

The following points and questions were raised by a local resident:

- If Easington's Owen Harris Memorial Ground can run as a Charity with less parish council members than residents listed on the management committee, it infers there is a range of charity management approaches we could also have considered. Does the Parish Council agree that within the law, there is more than one way to go about this. At what previous point were Parish Councillors given any advice about specific alternative options to the controls suggested, e.g. properly becoming custodial trustees with a firm legal foundation and the different relationship this would have given the committee on running the pavilion and grounds
- At what previous point were Parish Councillors given any advice about specific alternative options to the controls suggested, e.g. properly becoming custodial trustees with a firm legal foundation and the different relationship this would have given the committee on running the pavilion and grounds
- Why has the Parish council ignored that advice in 9 sections, when the GAPTC (Gloucester Association of Parish and Town councils) had urged it to seek that advice, and the lawyer (who specialises in setting up Trusts, was a parish council chair, and runs training for parish councils) was concerned the draft was blurring the lines? If a Lawyer was puzzled by some of the thinking, is it any wonder that some village residents are concerned or puzzled too?
- Why has the number of villagers been reduced from 4 to 3, the Chair specified as from the Parish Council, the reference to a non parish council Vice Chair removed, the non-parish council role limited to that of secretary and a fourth councillor on standby, when ACRE (Action with Communities in Rural England) advises there is no limit to the number of people who could be part of the committee and when there is nothing to say specific roles

could not be chosen within the first committee meeting based on skill and experience rather than on status?

- Please could you clarify, the way it is worded could the fourth councillor on standby take the place of one of the 3 villagers if any of them were absent, giving the Parish Council a 4:2 majority plus the deciding vote
- The current 3 councillors, who are co-opted, are also the only Trustees and also all on the management committee. In terms of local democracy this cannot be a good thing because it is important that villagers feel fully involved in how the Recreation Ground is shaped for future generations. When will the committee actually start, will it be as soon as the rules are voted on made up of Councillors only, or after all committee members have been appointed
- Will the council keep its publicly made promise, that until such time as the Rec committee is set up, it will focus solely on addressing health and safety issues and disability access
- Section 8 is about not having representatives on the committee in a way that represents user groups. The rationale is because there will be lots of user groups. Could it be clarified why a limit been placed on numbers of committee members, when a) ACRE says there are no limits and b) the lawyer advised he did not fully follow the thinking in this section because the Charity Commission encourages users of a facility to be part of the Management? If a lawyer can't follow Parish Council reasoning, how can residents?
- In Section 25 B, it still says 'paid servants. The lawyer advised that it should not say that, explaining why we try to avoid such language. He also said the provisions of the Local Government Act do not apply. Is there a reason previous changes to the language are not there anymore?

The Chair stated that the Rules had been established and that there would be no changes. The Chair also pointed out that the matter had been discussed previously and that no Councillor had up to now voted against the draft. The resident responded that there had been areas of agreement but that there were with written questions outstanding and no vote had been proposed.

It was explained that user groups had not been included as Committee members as it was hoped that the facilities would be used by a number of organisations and therefore including representatives of all user groups on the Committee was impractical. It was agreed that incorporation of the term 'public servant' was an oversight.

A local resident asked if there was any other opportunity to debate the issue. The Chair reinforced that the Public Forum was the vehicle for discussing the matter and that no other opportunity would be afforded.

It was asked if an individual could be a signatory to a committee. It was stated that two signatories were required for any Council organisation.

A local resident stated that a group of villagers had requested a special meeting with the Parish Council but this had been declined. The Chair advised that the Parish Meeting was the medium for such discussion.

A local resident wished to reinforce to the Council that the minutes of a previous meeting stated that the Parish Council would only deal with Health and Safety matters connected with the Recreation Ground until such time that a full Parish Annual General Meeting was held in May 2021. The Chair responded that the Parish Council were elected to make decisions and it was intended to have the Committee rules in place prior to the meeting. The rationale for this was challenged by a local resident.

The Chair noted that all points had been considered but wished to remind the meeting that the time limit of the Public Forum was twenty minutes. However, in this case he was willing to extend this period. It was observed from a local resident that everybody should be able to have their say.

There was some discussion as to the Friends of the Recreation Ground, and in particular dispersal of the funds raised in the name of the recreation ground. It was pointed out that this was not an agenda item and that indeed this matter was nothing to do with the Parish Council. Furthermore, the disposal of assets had been recorded in the minutes of the Parish Council meeting of 20 January 2020 when, after breakdown of the Recreation Ground Committee, the Friends felt that it could not continue its activities and decided to disband.

It was noted from a local resident that not all the of the points raised had been fully addressed. There was then some discussion as to representation and as to why the opinions of the villagers had not been canvassed. A local resident observed that there were some 2000 residents and that those members of the village attending the meeting represented their views. The Chair answered this viewpoint with the statement that referenda are not held and moreover the duty of the Council is, as trustees, to run the Recreation Ground in an appropriate manner.

There was some discussion as to comments made on social media; it was considered that these postings were not overly helpful.

A plea was made from a local resident that everybody should work together to resolve the issue. It was questioned if the Chair and Treasurer of the Recreation Ground Committee should be appointed from Council Members and could these not be from amongst the villagers. The resident noted that the Parish Council had retained overall responsibility for the Recreation Ground and has had audited accounts submitted each year but day to day running has been left to the Recreation Ground Committee. As such a Parish Council responsibility is inherent.

A brief comparison to control of the Latchen Room was raised. The Latchen Room is held in trust by the Parish Council. Control has been devolved to a committee created as a charity with the Parish Council being the custodian trustees. Therefore, the manner in which the Latchen Room is controlled does not cross over to the recreation ground.

At this point the Chair summarised that the general view seemed to be that the entire matter should be deferred to the meeting to be held in 2021. Nonetheless, the Council had a legal responsibility to act in the best interests of the charity and of the villagers. As such any decision that the Council makes may be unpalatable.

A return by residents was made to the point as to whether the position of Chair and Treasurer of the Recreation Ground Committee has to vested in Council Members and that a change to this is within the gift of the councillors. The Chair stated that this would be in conflict to Council Standing Orders however other positions could be open. The Chair observed that it was anticipated that the Council would have a full complement in May 2021 at which point the matter could be debated again.

Further requests were made to allow the villagers to decide the matter. The Chair again reinforced that a referendum would not be held. A local resident asked that the Council take over the running of the Recreation Ground. A comment was made asking if the Parish Council had asked themselves if they were doing the 'right thing'. The Chair countered by stating that the Council had thought long and hard about the matter and that previous parish councillors had not disagreed with this stance.

The Chair summarised in that the Recreation Ground was in a condition whereby work required could not be done by volunteers. Monies for the Recreation ground do not come from the parish precept but from Recreation Ground funds and that the accounts of the Recreation Ground have been audited on a yearly basis by the Parish Council with two parish councillors on the Recreation Ground Committee. However, the Parish Council had ascertained that the Recreation Ground Committee was not being conducted in a lawful manner. As such the Council had been advised that when trustees are being appointed that the Council is in the majority.

A local resident commented that that the Council cannot be beholden to the Recreation Ground Committee. However, it was felt that the Chair of the Committee should be the person most able to fulfil the role albeit it was accepted that the Treasurer should be a Council member.

Further discussion ensued as to the Recreation Ground Committee rules with a request from the residents that the matter be deferred and the rules revised. It was noted that consultation over legal advice has been ongoing for some six to nine months. It was stated by the Chair that the Recreation Ground Committee would not be run as an independent committee but would be run under Parish Council rules. The ultimate aim is to conduct an annual General Meeting of the Recreation Ground, and to establish a working committee. There was then some discussion as to comments made as to previous remarks made as to the running of the Recreation Ground committee in a legal manner.

At this point the Chair directed that the Public Forum was ended and that the business of the meeting should proceed.

#### **4. Parish Insurance Policy**

The clerk reported that a third quotation had now been received for the Parish insurance Policy, to include the Recreation Ground Pavilion. These are summarised as follows:

Ecclesiastical Insurance	£964.30 (with a three-year long term agreement of £918.00)
Zurich Insurance	£1181 (with a three-year long term agreement of £1081) However, this was for the Parish Council alone and a further quote would be required for the Recreation Ground.
Aviva Insurance	£899.49 (£867.60 for three-year long term agreement)

It was decided that a three-year agreement would preclude the council being able to seek competitive quotes on an annual basis. The quotation provided by Zurich was considered not to be competitive. Given that the previous insurance has been with Ecclesiastical, who had been a trusted provider, it was decided that insurance cover should be taken with Ecclesiastical.

#### **5. Longhope Recreation Ground**

After some discussion, and being mindful of the tenet of the meeting, the Council agreed, on a majority vote, that a decision on the Recreation Ground Committee Rules should be deferred until clarification was sought on certain points. Cllr Toomey wished to include a caveat that the matter should be discussed at a further meeting in the near future.

Signed:.....Chairman. Date:.....