

NOCTON PARISH COUNCIL

Minutes of the Meeting of Nocton Parish Council held at 7.00 p.m. on Tuesday, 12th July 2022 in Nocton Hub.

PRESENT: Councillor Ian Goldsworthy (Chair)
Councillor Mike Kaye (Vice-chair)
Councillor MaryAnn Williams

8 members of the public were also in attendance

PUBLIC QUESTIONS UNDER STANDING ORDERS, ETC

No questions had been submitted in advance and none were raised at the meeting

No.	Item	Action By																											
	The Chair welcomed councillors and members of the public to the meeting.																												
1.	APOLOGIES FOR ABSENCE																												
	Apologies for absence were received from Councillors Richard Marshall and George McDonnell (their reasons being accepted) and also from County Councillor Ian Carrington and District Councillors Amelia Bailey and Fran Pembury.																												
2.	DECLARATIONS OF INTEREST																												
	There were no declarations of interest.																												
3.	MINUTES OF THE MEETINGS HELD ON 10 MAY 2022																												
	<p>MOVED by Councillor MaryAnn Williams; SECONDED by Councillor Mike Kaye and RESOLVED that the minutes of the meeting held on 16th June 2022 be approved subject to the addition of Karen Steels-Tallett, Parish Clerk, being shown as present at the meeting.</p> <p>The minutes were then signed by the Chair.</p>																												
4.	COUNTY AND DISTRICT COUNCILLOR REPORTS																												
	<p>The reports from Councillors Ian Carrington and Amelia Bailey had been received and would be posted on the Parish Council's website.</p> <p>It was noted that Councillor Amelia Bailey had advised the Parish Council that unfortunately she would no longer be able to attend its meetings.</p>	MK																											
5.	PARISH CLERK'S REPORT (prepared by the Chair)																												
(a)	<p>The following schedule of payments made and income received since the last meeting was noted:</p> <table border="1" data-bbox="235 1612 1372 1942"> <thead> <tr> <th data-bbox="235 1612 446 1646">No.</th> <th data-bbox="446 1612 1024 1646">Item</th> <th data-bbox="1024 1612 1372 1646"> (£)</th> </tr> </thead> <tbody> <tr> <td colspan="3" data-bbox="235 1646 1372 1680" style="text-align: center;">EXPENDITURE</td> </tr> <tr> <td data-bbox="235 1680 446 1713">1.</td> <td data-bbox="446 1680 1024 1713">PlusNet (Hub wi-fi)</td> <td data-bbox="1024 1680 1372 1713">26.40</td> </tr> <tr> <td data-bbox="235 1713 446 1747">2.</td> <td data-bbox="446 1713 1024 1747">EON (Maintenance) (Street Lamps)</td> <td data-bbox="1024 1713 1372 1747">167.40</td> </tr> <tr> <td data-bbox="235 1747 446 1780">3.</td> <td data-bbox="446 1747 1024 1780">Came and Co. (Parish Council Insurance)</td> <td data-bbox="1024 1747 1372 1780">1,358.15</td> </tr> <tr> <td data-bbox="235 1780 446 1814">4.</td> <td data-bbox="446 1780 1024 1814">EON Next (Hub electricity)</td> <td data-bbox="1024 1780 1372 1814">470.94</td> </tr> <tr> <td data-bbox="235 1814 446 1848">5.</td> <td data-bbox="446 1814 1024 1848">Staff Salaries and Wages (June)</td> <td data-bbox="1024 1814 1372 1848">1,518.83</td> </tr> <tr> <td data-bbox="235 1848 446 1881">6.</td> <td data-bbox="446 1848 1024 1881">OPUS Energy (Street Lights)</td> <td data-bbox="1024 1848 1372 1881">66.54</td> </tr> <tr> <td data-bbox="235 1881 446 1915">7.</td> <td data-bbox="446 1881 1024 1915">Bank Charges</td> <td data-bbox="1024 1881 1372 1915">36.00</td> </tr> </tbody> </table>	No.	Item	(£)	EXPENDITURE			1.	PlusNet (Hub wi-fi)	26.40	2.	EON (Maintenance) (Street Lamps)	167.40	3.	Came and Co. (Parish Council Insurance)	1,358.15	4.	EON Next (Hub electricity)	470.94	5.	Staff Salaries and Wages (June)	1,518.83	6.	OPUS Energy (Street Lights)	66.54	7.	Bank Charges	36.00	
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8.	Anglian Water (Hub)	27.00
	INCOME	
9.	Hub Hirers (net)	1,086.40

(b) Parish Council Bank Accounts

The Chair reported that as at 30 June 2022, the Parish Council had a combined total of £40,113.73 across each of its three bank accounts, which included £1,358.32 held on behalf of the Nocton 200 Club (although this would be reduced shortly by the transfer of £700 to the Parish Council's main account as a contribution to the recent purchase of the new Hub Defibrillator).

IDG

(c) Change to Bank Mandate

It was noted that currently only the Parish Clerk can submit payments for authorisation and it was, therefore, necessary for there to be an alternative means of being able to make payments to staff and suppliers, etc in her absence. Accordingly, it was MOVED by Councillor MaryAnn Williams; SECONDED Councillor Mike Kaye and RESOLVED that the Chair and Vice-chair be added to the list of those persons entitled to submit payments for authorisation from the Parish Council's bank accounts.

(d) Cathedral Leasing

The Chair reported that he had now been able to resolve a number of issues relating to invoices received from this company which was responsible for removing sanitary waste from the Hub. In order for the company to apply various credits which had accrued on the Parish Council's account to offset future invoices, it was MOVED by Councillor MaryAnn Williams; SECONDED by Councillor Mike Kaye and RESOLVED that the existing contract with Cathedral Leasing be extended by a further 14 months to September 2024. The Hub Manager had confirmed that the company was providing an excellent service.

IDG

(e) Invoice from the True Window & Glass Centre (TWG)

It was MOVED by Councillor MaryAnn Williams, SECONDED by Councillor Mike Kaye and RESOLVED that retrospective approval be given to the payment of an invoice in the sum of £114.00 (inc. VAT) from TWG, being the sum required to place an order with the company for the replacement of the damaged glass to the window at the front of the Events Hall.

(f) Correspondence

In the absence of the Parish Clerk, no update was available on the nature of any correspondence received since the last meeting.

(g) Freedom of Information Request

It was noted that the Parish Council had received a Decision Notice from the Information Commissioner dated 8 June 2022 confirming that it (the PC) was entitled to rely on Section 40(2) (personal information) of the FOIA to withhold information sought by a complainant relating to an alleged criminal offence and the salary of the Parish Clerk.

(h) Application to the Nocton 200 Club

It was noted that an application to the 200 Club for retrospective funding in connection with the recent Village Dog Show had been withdrawn.

(i)	<p><u>Land behind the Nocton Hub</u></p> <p>The Parish Council considered a detailed report from Councillor Mike Kaye (attached as an Appendix (1) to these minutes) drawing attention to a range of matters associated with the existing covenants on the land on which the Hub is situated and proposing that negotiations with AG Property Consultants (the owner of the land surrounding the Hub and former Builder's Yard over which the Council has permitted use) be entered into with a view to agreeing a mutually beneficial resolution of the various issues involved.</p> <p>In the circumstances, it was MOVED by Councillor MaryAnn Williams; SECONDED by Councillor Mike Kaye and RESOLVED that the Parish Council enter into more formal negotiations with AG Property Consultants to consider how best this can be achieved. It was noted that legal advice would be required by both parties (each meeting its own costs) and an estimate of the potential cost to the Parish Council would be required before matters could be finalised and progressed to conclusion.</p>	MK
6. NOCTON HUB		
(a)	<p><u>Minutes of the Hub Management Group held on 23 May 2022</u></p> <p>The minutes of this meeting were noted.</p>	
(b)	<p><u>The following points were noted:</u></p> <ul style="list-style-type: none"> (i) <u>External Noticeboard for The Hub</u>. Councillor Mike Kaye reported that he had not yet had an opportunity to ascertain from NKDC whether planning approval was needed prior to its erection to the front of the Hub, but would do so shortly. (ii) <u>Anti-fungal Paint to Cellar Room</u>. It was understood that discussions were continuing with the Ripon Arms over the exact specification of the paint required. (iii) <u>Commemorative Plaque</u>. Councillor Maryann Williams had not yet had an opportunity to explore further options for the supply of the Plaque but would do shortly. (iv) <u>CCTV</u>. Councillor Mike Kaye was continuing to investigate the purchase of an appropriate keyboard and hoped to find a solution in the near future. 	MK MAW MK
(c)	<p><u>Future of the Hub Management Group</u></p> <p>MOVED by Councillor MaryAnn Williams; SECONDED Councillor Mike Kaye and RESOLVED that (a) the Hub Management Group (HMG) be disbanded and replaced with a Hub User Group (HUG) for the reasons set out in the Discussion Paper attached as Appendix (2) to these minutes, although a final decision would not be made until the matter had been referred to the next meeting of the HMG and in the light of any comments it might wish to make; and (b) the Hub hire invoicing function be transferred to the Parish Council (Hub Manager) with immediate effect.</p>	IDG
7. PLANNING APPLICATIONS RECEIVED FOR COMMENT		
	<p>It was noted that there were no planning applications requiring consideration.</p>	
8. NOCTON HALL AND FORMER RAF HOSPITAL SITE		
	<p>The Chair reported that Ben Wills had confirmed that costings associated with work to the Hall involving complete demolition, restoration as a ruin and a full rebuild were currently being finalised. These figures would help to inform the level of enabling development required on the site. In the meantime, he would be meeting with the Chair and Vice-chair on 26 July to consider establishing a Working Group to assist in taking matters forward.</p>	IDG/MK

9.	DATE OF NEXT MEETING	
	<p>In view of the current holiday and other commitments of councillors and given the number of existing vacancies (with the requirement for meetings needing to be quorate) it was agreed to identify a date convenient to the majority of councillors between late August/early September and, as such, to cancel the meetings scheduled for 9 August and 13 September.</p> <p>The Chair again emphasised the need for residents to come forward to serve on the Parish Council and highlighted some of the implications for the village if there was insufficient interest by the time of the next elections in May 2023.</p>	IDG
10.	PUBLIC QUESTIONS	
	<p>Two issues were raised by residents:</p> <p>The possibility of establishing a community library and the condition of the surface of Wegberg Road and the condition of the nearby bridge at Nocton Park. With regard to the latter issue, it was noted that it was likely that there was little the Parish Council could do but it would write to the relevant parties (NPML and Mr Peter Sowerby respectively) for their comments.</p>	IDG
11.	EXCLUSION OF THE PRESS AND PUBLIC	
	<p>MOVED by Councillor MaryAnn Williams; SECONDED by Councillor Mike Kaye and RESOLVED that the press and members of the public be excluded from the meeting during the consideration of the following items because of the confidential nature of the business to be transacted.</p>	
12.	STAFFING MATTERS	
(a)	<p><u>Temporary Cleaner (CL)</u></p> <p>It was noted that the Hub Manager had spoken with the relevant department at the County Council and that there was nothing further which the Parish Council needed to do regarding the appointment of a younger person to undertake the cleaning function. It was also MOVED by Councillor MaryAnn Williams; SECONDED by Councillor Mike Kaye and RESOLVED that (i) the existing three-month Contract of Employment for CL be extended by a further three months when it comes to an end on 31 August 2022; and (ii) following a satisfactory report from the Hub Manager, the salary of the postholder be increased to the amount specified in the Contract.</p> <p>(b) <u>Parish Clerk and Responsible Financial Officer</u></p> <p>In the light of the detailed decisions reached regarding this matter (which are confidential and recorded separately in a minute which will not be available for publication but which will, nevertheless, be kept as an official record should it be required for formal disclosure at some point in the future) it was MOVED by Councillor MaryAnn Williams; SECONDED by Councillor Mike Kaye and RESOLVED that:</p> <ul style="list-style-type: none"> (i) The Chair, Councillor Ian Goldsworthy, be appointed Acting Parish Clerk with effect from 13 July 2022; (ii) Councillor George McDonnell be the “first point of contact” for the Hub Manager and Village Keeper; (iii) The Chair and Councillor Mike Kaye monitor and action as appropriate all emails sent to the Parish Clerk’s email address; (iv) Ms Ruth Keillar (a former Nocton Parish Clerk and RFO) be appointed to undertake the duties of the Responsible Financial Officer for a temporary period of three months whilst arrangements are made to appoint a permanent Clerk and RFO; 	IDG

	<p>(v) Ms Keillar, as a person who has been fully trained in building parish councils websites using the LCC platform, also be requested to do this in respect of the Nocton Parish Council website as previously agreed; and</p> <p>(vi) A Disaster Recovery pack containing details of the various logins and passwords, etc (including those associated with the Bank Accounts, website and email address management) and which are necessary for the Parish Council to continue to function properly and to meet its statutory and other responsibilities in the absence of its Parish Clerk, be produced as a matter of urgency.</p>	
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SIGNED: _____

Date: _____

Issues that arise from the 1981 Conveyance of the land on which The Hub is built and a possible solution.

During the negotiations with the previous landowner over the rebuild of the Village Hall, the Parish Council (the Council) was granted access and parking rights over a part of the paddock behind the Hall, whilst still maintaining full access to the paddock for the landowner. The intention was to use this land as a builder's yard during construction of the Hub and then, on payment of a peppercorn rent, as an overflow car park for the new Hub (subject to any planning permission) should this prove to be necessary. AG Property Consultants, who purchased the land in December 2021, dispute these rights but are prepared to negotiate. The Council previously authorised the Chair and Vice-chair who were familiar with the issues involved, to seek to negotiate a mutually acceptable arrangement and to present it to the Council for approval. The following is an explanation of these issues and why this represents an ideal opportunity to remedy the unsatisfactory aspects of the 1981 Conveyance and Title of the land on which Nocton Hub is situated and to gain some compensation for loss of rights over part of the paddock.

There was no such thing as a Conservation Area in 1981. The then owner of the land (British Field Products Ltd (BFP)) was at pains to keep control over the nature of any future development of this land in order to protect the character of the village. The 1981 Conveyance to the Council therefore contained several restrictive covenants, the most significant of which were as follows:

1. The land could only be used for the provision of a Village Hall.
2. The land could not be sold or leased to a third party during a period of 80 years (expiring July 2061) without first offering it to BFP, or their successors in title, at no cost.
3. Any plans for buildings or extensions on the site had to be approved in writing by BFP or their successors in title.
4. The Council were granted parking and access rights over the land which BFP had retained surrounding the Village Hall site, but only for parking whilst using the Hall.

These restrictions, which are now largely superfluous since the advent of Nocton Conservation Area, represent significant limitations on what can be achieved in the future.

Item 1 (Above) is a restriction on the many possible uses of the land for the benefit of the community. The Council wishes to take this once-in-a-lifetime opportunity to have it lifted so that future generations can adapt the facility as fashions and requirements for community buildings change.

Item 2 If, in future, the Council wishes to set up a Charity or a Community Interest Company to run the site, it will be essential to grant a secure lease to the Charity or Company in order to gain the approval of the Charity Commission or HMRC for the arrangement.

Item 3 This caused major problems when the previous landowner refused to approve the plans for the new Hub unless the Council surrendered parking rights over approximately one third of the area so that he could secure unrestricted access to the land behind the Hub.

Item 4 The Council do not own the Car Park. They own only the land on which the Hub is built and the lawns to the east and north. This is another limitation on what can be done in future to improve the facility.

AG Property Consultants agree that the above restrictions are now inappropriate and unnecessary and are prepared to make the necessary changes. They are also prepared to transfer ownership of most of the existing car park to the Parish Council. The Council, in conjunction with AG Property Consultants, is now preparing to find the most economical and pragmatic way of achieving this in consultation with its respective legal advisors, whilst each bearing their own share of the costs.

FUTURE OF THE HUB MANAGEMENT GROUP –PROPOSALS FOR DISCUSSION

Background

The Parish Council is of the opinion that the Hub Management Group (HMG) is not operating as perhaps was originally envisaged when it was established about two years ago by the previous Parish Council. It would, however, wish to emphasise and to make entirely clear that this is in no way the fault of the HMG itself. Unfortunately, it was provided with a Terms of Reference which are not fit for purpose and which, as has been acknowledged, are not fully understood by the membership itself.

There is clearly very little, if any, interest from the wider community in joining the HMG and participating in its role – as evidenced by the fact that the current membership comprises solely of two parish councillors, the Hub Manager (an employee), a representative of the Ripon Arms and one resident (who volunteered to act as Hub Treasurer). As such, and meeting only once every two months, it is not a suitable mechanism for managing the activities of the Hub when urgent or other action is required – recent examples include unnecessary delays in reaching decisions on dealing with the access ramp, painting the cellar room, storage, and the RA's request to display an advertising decal.

Moreover, it has also become apparent that the detailed discussions at the HMG are then often repeated at the Parish Council which is neither an effective nor efficient use of time.

In these circumstances, therefore, it is appropriate for the Parish Council to review the operation of the HMG, address the problems and to identify a solution.

Proposed Solution

The day-to-day management of The Hub will be the sole responsibility of the Hub Manager (in accordance with her Job Description), taking advice, etc from her line manager and/or the Parish Council as and when necessary. The Hub Manager will submit regular reports to the Parish Council on operational, maintenance, H&S and staffing issues when decisions or advice, etc are required. Urgent matters with financial implications will be dealt with by the Parish Council under its Financial Regulations.

However, what is lacking is a formal mechanism for regular users of the Hub to be able to raise issues which affect their use of the building and, importantly, to identify and suggest areas for improvement, etc including, for example, equipment needs. Currently, these issues are being raised by members of the public/representatives of those groups at Parish Council meetings. Indeed, the former Parish Council recognised this need when it proposed, at the same time as setting up the HMG, to establish a separate User Group although in the event, this was never progressed.

In so doing, the Parish Council has no intention of changing the key principles of the Service Level Agreement it has with the Ripon Arms (other than to substitute the current role of the HMG in that document with the Parish Council) and which will continue to govern the relationship between the two bodies. As noted below, the RA will still have an opportunity to input into the operation of The Hub through participation in the User Group.

Role of Hub Treasurer

The Hub Treasurer currently has a "job description" which is effectively impossible to fulfil unless full control for the management and finances of The Hub is delegated by the Parish Council to the HMG, including having its own bank account. This is not something which the Parish Council currently has in mind but which may, in time, be something it wishes to pursue through, for example, the establishment of a charity or similar arrangement. Part of the Hub Treasurer's role is to produce invoices for hirers but in the Parish Council's view

such a “business critical” process should not be undertaken by a volunteer over whom the Parish Council has no management or other control. Again, the Parish Council would wish to emphasise that this is in no way to denigrate the role of volunteers who clearly play an important part in the life of the village and whose contribution should be valued. However, there are certain functions which it feels are better undertaken by paid Parish Council staff. Volunteers, by their very nature, may “come and go” and this has been a problem for the HMG and, indeed, the Parish Council, in recent months.

As such, the Parish Council considers that future responsibility for producing and monitoring the payment of invoices should rest with the Hub Manager working with her line manager, who will, of course, have full access to the bank account.

Establish a User Group

The Parish Council proposes, therefore, to replace the HMG with a Hub User Group (“HUG”) comprising the following members:

2 (or possibly 1) x Parish Councillors

1 x representative from each of the Nocton-based groups/organisations which currently use the Hub on a regular basis and are “not-for-profit” e.g.

- Ripon Arms
- Gardening Club
- WI
- Bowls Club
- Wellbeing Cafe

There may, of course, be others who meet the criteria for membership and so would be able to become members.

The Group would meet every two months and would elect its own Chair.

The Hub Manager would attend meetings of the Group but as an officer would not be a voting member.

It is also proposed that the Parish Clerk act as Secretary who would then be in a position to bring issues raised by the HUG direct to the Parish Council.

Apart from the obvious benefits for local groups to participate in the HUG, there is an added advantage in that they are each in a position to access Nocton 200 Club funding. Therefore, they could submit joint applications for equipment, etc considered to be a benefit to all users. The recent purchase of a projector and screen and sound system (following separate applications by the Gardening Club and WI respectively but which are now available to all users) are examples of where joint bids might have been of benefit.