

MARDEN PARISH COUNCIL

6 December at 19.45 – Local Residents Open Session (not part of the meeting) – As per Standing Orders – At the Chairman’s discretion, up to 10 mins will be allocated for the public to make representations, ask questions & give evidence in respect of any item on the agenda. Maximum of 2 mins per person per item is allowed. Item is not for comment on parish council discussions or decisions. Names will not be minuted and every effort will be made to keep personally identifiable data to a minimum, in compliance with GDPR and data protection. Bullet points on the topics raised are noted below to allow the council to address items either as part of appropriate agenda items or by adding to the agenda for a subsequent meeting:

- Question/Statement: Pleased that PC has recognised error
- Q/S: Consider knocking on doors for public engagement
- Q/S: Loan over 30 years, is it fixed rate. Answer: Yes Public Works Loan (PWL) fixed for 30 years at rate on day loan taken out
- Q/S: New community centre should not continue with 2 centres. A: 2016 parish approval for hybrid option of both facilities, please come to event for more details
- Q/S: Difference between MVT and Charitable Incorporated Organisation (CIO). A: Information available at event
- Q/S: Concern that PC even thought about counting nil return as support, HALC says would not recommend and would have advised against
- Q/S: Any election/referendum or consultation goes into locked box, here letterbox for returns not secure, anyone able to open
- Q/S: Any election/vote or consultation would be independent count, here PC doing counting, should be someone independent, Parish Councillors should consider their role
- Q/S: Any local election only 30% return, so counting nil return as support would give over 400 households and 1,000 electors in favour
- Q/S: Only need £200k not £500k increase in precept, as £300k already in precept
- Q/S: Move to CIO cost another trust £20k, need to warn MVT
- Q/S: PC did not submit loan request in 2017, put precept up to cover loan of £300k but loan request not submitted
- Q/S: No proof that will get £100k funding from various sources
- Q/S: MVT giving £20k grant to PC. A: MVT applying for grants of £20k to fund part of fit-out of building, not giving a grant to PC as cannot do so
- Q/S: Detail of rate of loan needed
- Q/S: How will PC address current leaflet has gone to all households
- Q/S: When get land, phosphate issue will need resolving, Reserved Matters approval needed before get land, how long do PC anticipate will take to get land. A: PC will sit down with developer to negotiate issues when approval given, when land to be given, any support from developers, if want to tender; tendering process 3-5 months, once agreed about year to build
- Q/S: Building costs will rise, costs detailed cannot meet rise in costs. A: details can be discussed at event
- Q/S: If no pressure from people here PC would have carried on with process
- Q/S: Good to see Laystone Bridge repaired and opened, thank you to Balfour Beatty. A: PC will thank Balfour Beatty.

**Minutes of the meeting of the Parish Council held on 6 December 2021
immediately following the Local Residents Session at 19.45 in the Community centre hall**

Present: Cllrs David Bennett (Chair), Kate Ryan, Rod Lees, Richard Paske, Patrick Meredith, Kirsty Robertson and Mike Blake.

In Attendance: Ward Cllr Guthrie; Parish Clerk Alison Sutton; and 9 members of the public.

1. **Apologies for absence** – Cllrs Chris Morgan, Lesley Hayward and Paula Barrett.

2. **Declarations of interest and written applications for dispensation** – None.

3. **Parish reports and Issues** –

3.1. Community Facilities –

Consideration of various points NOTED as follows:

- Consultation is not a referendum, no legal requirement to hold a referendum; consultation seeking views on design already approved by parish, giving more detail on build, costs and funding
- Response flyer turned out to be disaster, consultation should be opinion poll; seeking feedback, PC look at feedback and make decision
- Response used wrong words and phrased badly, done in good faith, desire to get maximum number of votes whichever way they went, to get everyone who could vote to do so; did not try and fix vote
- Advice given by HALC incorrect and withdrawn, made in several ways and heard several times but difficult to go back and get absolute proof, but advice is not something PC made up
- Process is seeking feedback from parishioners, decision is PC's to make
- Consultation in 2017 was precept increase for repayment of £300k loan, but loan not applied for at that time and to use funds from increased precept to cover ongoing project costs prior to taking out loan; excess not used to fund project has been ring-fenced in reserves since then
- Now have to cover repayment of extra £200k by increase in precept to allow application for £500k loan in future
- Further 19% increase across all Council Tax bands
- 2016 presentation to PC, parish agreed to hybrid solution, continue using current facilities and build new centre and village green on gifted land
- As requested by some parishioners now have detailed costs and design for consultation; if costs increase beyond contingency then would have to come back to parish
- Now trying to find out if parish wants building as once in a lifetime opportunity, if land not taken then likely to be built on, no other land available in parish for such a building
- If parish supports project, next phase would be to spend considerable sum on detailed design and tender, which is reason for consultation now;
- If project not supported, project will stop
- Hybrid option agreed in 2016, important to have school and pre-school, new centre would accommodate everything else, but query whether 2 buildings needed
- Same situation since 2011, if MVT gives up leases do not have hall, MVT could negotiate with academy to use hall; but clawback clause of £250k 3 years ago (decreases annually) if give up leases; depends on how much want to risk community; clawback would be paid to MVT by Herefordshire but MVT cannot give money to PC, would have to build own building; consequence would be that Herefordshire would ask academy for money; academy could ask government for short term loan over 3 years to pay for exceptional issues, academy could not possibly pay it in 3 yrs or 10 years or ever and would possibly be bankrupt; could mean Herefordshire has land and building not being used, likelihood that would combine school with somewhere else and sell land for more houses; leave parish with no school, no Pre-school and lot more houses; last part is assumption but known fact that Herefordshire would get money back from academy
- Situation looked at by MVT and CFG many times, decided that want to protect school and Pre-school and have integrated facilities for parish; could look at again but no opportunity to go outside of situation; MVT asked if could give up only one lease, have to give up both leases

- Able to separate the consultation events for feedback from process of an opinion poll for loan
 - Have run many of these types of vote in parish same way, data protection proscribes what can be released, all councillors see is figures no personal data, may have delivered 2 copies to one property or missed one property by mistake but not deliberately, not a referendum but a general poll
 - Need apology as quickly as possible; all media outlets and word of mouth, Clerk ask to put up at both shops
 - Before January meeting need to decide what new process will be and make it public, need outline for main December meeting; have data controller, legal officer for PC, who has run events same way every time before; need to include CFG, show draft after PC meeting
 - Post box outside is locked, only 2 keys, held by academy and MVT, not open to everyone
 - All previous consultations, including 2016-17 precept increase, NDP and CF consultations run same way but using open box at post office for responses, not used this time as really was open
 - Clerk can legally only give anonymised data, has to sign annually that only use electoral register to provide anonymised data
 - Not a referendum, not even a vote but an opinion poll to gain support for increase in precept for PWL application; when make application have to say x no. of houses, y no. of electors in parish and this no. supported and that no. did not support increase in precept; have to use electoral register to gain data.
- a) Continue consultation events in person or by Zoom (if Covid prevents in person events) – RESOLVED unanimously to continue consultation events in person and Zoom.
 - b) Pause the current vote related to the consultation and undertake a new amended vote in February with a new process – RESOLVED unanimously to: stop current process; publish apology on all media and at shops; undertake new vote as opinion poll to gain support for increased precept; consultation events still going ahead.

4. **Matters for next agenda or for Clerk's action under delegated authority**

Next agenda:

- Disposal of SID pole and flag poles
- Potential Lengthsman scheme matched funding
- Bench on Sutton Walls
- As above.

Clerk's action:

- Time for start of meetings from January – Agreed start at 19.00
- As above.

5. **Date of next meeting** – Wednesday 15 December 2021 at 18.30 (apologies from Cllr Lees and Ward Cllr Guthrie) and Monday 10 January 2022 at 19.00 in Community Centre hall.

This meeting was declared closed at 21.15

SIGNED:

DATE:

Marden Chair