



Stratfield Mortimer Parish Council
Unadopted Minutes of
the Meeting of the Parish Council
held on 18 March 2014 @7:30pm
at Mortimer Methodist Church Hall, West End Road, Mortimer

Present:

Councillors: (M Dennett Chairman), T Audsley, P Blagden, J Bull, P Challis, A Colaço, J Earl, D Ives, N Kiley, M Lock, J Morden, D Morsley and A Philips.

Clerk: Mrs J Kirk

Public & Press: One

In the absence of The Cllr P Wingfield Cllr M Dennett (Vice Chairman) took the chair.

14/55 To receive Apologies for Absence: Cllrs P Wingfield and A Thorpe

14/56 To receive any Declarations of Interest and Dispensations:

None

14/57 To resolve to Approve Minutes of Parish Council 13 February 2014: The Minutes of the Parish Council Meeting of 13 February 2014 were approved as a true record and signed by the Chairman.

14/58 To receive Clerk's update (for information only):

- **13/145: Alfred Palmer Memorial Field Trust:** The Charity Commission responded on 27/02/2014 regarding the lease (dated 1.05.2013) between the Trust and Mortimer Football Club as follows:

'The Charity Commission have considered the terms of the 2013 lease, and cannot identify any power that the trustees were able to rely on to enter into this lease. Clause 1.3 of the lease itself states "This lease has been sanctioned by an Order of the Charity Commissioners for England and Wales sealed on 6th December 1989." I can state categorically that our Order of 1989 does not sanction this lease. Notwithstanding the fact that the Order clearly refers to a small area of the field (of some 163 square yards), rather than the entire field (of some 5.105 acres) which is referred to in the 2013 lease, The Order does not contain any provision to extend the lease beyond the original term of 25 years.

It therefore appears that the lease dated 1st May 2013 is void, and this means that it does not have the force of law.

Furthermore, the attempt by both parties to enter into the 2013 lease may have had the effect of breaking the original lease of 23rd August 1993. It may well be the case therefore that there is at present no lease in effect between the football club and the charity.

The Charity Commission expect the Trustees to inform the tenant (i.e. Mortimer Football Club) of the Charity Commission's concerns about the validity of the 2013 lease.

In the event that any legal action is brought against the trustees in relation to the void lease the Trustees should report this to us.

Should the trustees wish to dispose of the entire field to the football club, as they appear to have attempted to do in the 2013 lease document, they will need to demonstrate why a cy pres occasion has arisen to justify this.'

The Parish Council's solicitors subsequently advised further to the letter from the Charity Commission that in the absence of any action by the Trustees either the Parish Council's nominee or the Parish Council themselves should advise the Tenant of the Charity Commission's conclusions. As Mortimer Football Club had previously written requesting to address the Parish Council about their plans for the field it was advised that under the circumstances the Parish Council inform them of the situation and that this will not be possible at the current time.

- **13/169: Inspired Facilities Award Application:** The Parish Council were advised by

phone today (18.03.2014) that the Parish Council's bid has been successful. The Lottery has put an embargo on any publicity or press release until 15 April 2014. They complimented the Parish Council on the comprehensive application.

- **14/44: West Berkshire Council Parish Plan Grant Application:** The Parish Council were also advised by phone today (18.03.2014) that the Parish Council's bid has been successful for the match funded grant for a sports shelter for the tennis courts.
- **14/25: Tree Survey of Trees on Parish Council land:** The survey has now been carried out and the report will be brought to the Council once received.
- **13/168:** The repairs to the rocking horse have now been carried out and fortunately this was carried out at the same time as the contracted six monthly maintenance check of all playground equipment for an additional cost of £125 for 3.5 hours extra work.
- **13/188: Parish Council Office:** The few issues such as broken furniture, blinds to be re-fitted etc. have now been rectified (and paid for by West Berkshire Council) and it is hoped to be able to unpack and re-open the office very shortly.
- **14/52: Building Stronger Communities Conference:** The actions have been carried out.
- **13/167: Pavement Parking outside the Café in Victoria Road:** West Berkshire Council Officers have offered available dates to meet with members of the Parish Council and a site visit is to be arranged shortly.
- **14/49: WW1 Anniversary Project:** This is progressing and the Parish Council in discussion with the website providers regarding arrangements for the War Memorial Book to be displayed electronically on the Parish Council website. Also have been asked to work with Mortimer History Society and the Clerk has already been in discussions with them as to how this can be achieved.
- Official notification has now been received of the repeal of section 150 (5) of the Local Government Act. A report will be made to the next Finance and General Purposes Meeting.

14/59 To receive update on the Society of Local Council Clerks (SLCC) Conference: The Clerk gave a comprehensive report on the SLCC Practitioners' Conference which took place on Friday 28 February to Saturday 1 March 2014.

14/60 To receive update on Stratfield Mortimer Parish Council (SMPC) Precept request to West Berkshire Council and Parish Funding for Council Tax Support Grant: The Clerk reported that WBC had responded on 17 February 2014 to say that in order for the Parish Council to keep a balanced budget the Precept Request of £90,830 was put forward for 2014/2015. The Parish Council has still yet to receive confirmation from WBC as to whether the Council Tax Support Grant is to be paid following WBC's meeting on the 4 March 2014.

14/61 To receive Planning Committee Minutes of 13.02.2014: The Minutes of this Meeting were received, endorsed and adopted.

14/62 To receive planning decisions and information from West Berkshire Council (WBC):

Cllr Morden reported that the following decisions had been received from WBC:

13/02790/UL Retrospective – change of use from workshop for maintenance of motor vehicles owned and/or operated by the lawful occupiers of the site only to a B2 (general Industrial) for vehicles servicing and trucking up.

Refused – These retrospective proposals have been demonstrated to generate a demand for parking that may exceed the available spaces and this could result in on street parking on King Street and Windmill Road, adversely affecting road safety and the flow of traffic contrary to National Planning Policy Framework and Policy CS13 of WBC's Core Strategy 2006 to 2026.

13/03115/HOUSE 15 Asparagus Close. Internal alterations and conservatory to rear. Approved.

13/03158/HOUSE 20 Bilberry Gardens. Alteration and extension of existing single storey rear extension. Approved.

13/02998/FUL 9-13 Victoria Road (Budgens). Various variations to approved plans.

Approved.

14/63 To receive update on the next steps for Superfast Broadband Project:

Cllr Dennett advised the WBC had asked for the Parish Council's comments on two of the proposed cabinet locations: Location one - on the grass verge in Drury Lane at the junction with West End Road. Parish Council commented that it appears that the additional cabinet could satisfactorily be sited close to the existing one.

Location two – the existing cabinet is at the edge of a relatively narrow pavement on the south side of Victoria Road. This pavement is the main pedestrian route to the village shops, post office etc for a large number of people, especially those who live to the west of King Street. When engineers attend the present cabinet they cannot help but block the pavement. It was suggested that it would be difficult to site an additional larger cabinet adjoining this pavement and it was suggested that the north side of Victoria Road may be more suitable. It was also pointed out that the new Budgens supermarket had opened and this is not shown on the map.

14/64 To receive West Berkshire Council's Decision Notice on the claimed public footpath from Leighfield to Victoria Road Application dated 13.05.2008. To also consider whether to lodge an appeal against this decision with the Planning Inspectorate:

Cllr Dennett reported that WBC has advised that it has decided not to make a Definitive Map Modification Order as requested by the Parish Council on 05.05.2008. On the basis of the evidence submitted and investigated the criteria for deemed dedication of a public right of way under Section 31(1) & (2) of the Highways Act 1980 have not been met, and a public right of way cannot be said to exist along the claimed route etc. The evidence of use does not demonstrate use of any one particular route that could be said to be 'the' used route over any particular twenty year period. The full decision report and appendices (around 100 pages) are available from WBC on request. The Parish Council were also advised that the notice states that it may appeal against the decision to the Planning Inspectorate within twenty eight days of receiving the letter (3.3.2013). Cllr Dennett proposed from the chair that the Parish Council do not lodge an appeal, this was put to the vote and carried by 9 votes in favour to 3 abstentions.

Cllr Earl further proposed that the Parish Council write to WBC to try and formalise the current cut through between the doctors' surgery and Leighfield, this was seconded by Cllr Audsley and carried unanimously.

14/65 To receive update and consider options for the damaged post and rail fencing between the grazing area and the environmental strip: As requested by the Fairground Committee Meeting on 4.2.2014 the Clerk has obtained quotations for the replacement of the above fence. Cllr Dennett first established whether the Council wished to replace the fence and this was agreed. Cllr Dennett then proposed from the Chair that the Council spend up to £1,000 once the quotations received have been firmed up and the amount of rails that could be reused from the damaged fence clarified etc.

14/66 To consider options regarding the provision of a Parish Council Christmas Tree:

Cllr Dennett firstly clarified whether the Parish Council wished to provide a Christmas Tree in 2014 and this was agreed. Cllr Dennett then advised that the options are:

1. To talk to Englefield Estates (or a n other) to ask whether they would be willing to donate a tree again.
2. To purchase a cut tree for about £300 and possibly look for sponsorship to help offset the cost.
3. To consider the options, cost and feasibility of providing a permanent Christmas Tree on the Fairground in the current location.

It was therefore agreed that the 3 different options would be brought back to the Council for consideration.

14/67 To receive an update on the development of the Neighbourhood Development Plan (NDP): Cllr Dennett reminded Councillors of the NDP Public Meeting to be held in St John's Hall on Thursday 20 March 2014. The aim of the meeting is to explain what an NDP is, how it fits with WBC's Local Plan, obtain comments, seek volunteers and input. Cllr Kiley is to chair the meeting, Cllrs Dennett, Morsley and Audsley and Mr Tennant Barber to present. Bryan

Lyttle of WBC is also expected to attend.

- 14/68 To receive correspondence from the Secretary of the Fairground Trustees regarding one of the Parish Council Trustees and to consider any appropriate action:** The Parish Council has been advised that the Secretary to the Fairground Trustees has written to Mr Graham Puddephatt three times since July 2013 and that he has not received a reply. He asked whether the Parish Council wished to nominate a replacement Trustee. The Clerk subsequently also wrote to Mr Puddephatt asking for a response by 18 March without success. The Council considered this and Cllr Dennett proposed from the chair that the Parish Council nominate a new trustee for the rest of Mr Puddephatt's term (until May 2015) and that the Clerk be instructed to write and advise him of this decision. This was resolved unanimously.

14/69 To receive District Councillors' Reports:

Cllr Lock reported that Mortimer Library was officially re-opened on 21 February. The number of hours that the Library will be open has reduced from twenty to nineteen hours per week. From 29 May the No. 75 bus which runs from Beech Hill to Newbury via Mortimer will only run on Tuesdays and Thursdays (it will leave at 9:30am and return at 2pm. Bus passes may be used and it will stop at the West Berkshire Hospital if requested. In future the 2A route morning and evening to AWE will not return via West End Road and Mortimer but will go straight back through Padworth and Burghfield to Reading. This could be a problem for Mortimer residents.

Cllr Mayes reported that at the WBC Council Meeting on the 4 March 2014 the Revenue budget for 2014-15 of £121 million was approved. There will be no Council Tax rise in April 2014 but cuts are planned for library opening hours, public transport grants and social welfare provision. There is provision for increased spending on road repairs, some of it to be paid for from Emergency Grants from Central Government. There will also be an increased Capital Budget provision of £200,000 to upgrade street lighting with Eco efficient units - a spend to save initiative. Following considerable protest, it was also confirmed that WBC would be passing on a reducing proportion each year of the Government Block Grant for use by Town and Parish Councils.

WBC have been operating 24/7 for much of January and February 2014 with the Fire and Rescue Service, Police, Army, Environment Agency, Thames Water, BT and the voluntary organisations in the Emergency Centre at WBC's offices. This team has been monitoring and responding to the storm damage and flooding throughout the District. The recovery phase is continuing. Sewerage flooding in The Street Mortimer on 6/7 February 2014 was reported to Thames Water and awaiting a reply. The WBC surface water drainage study funded by the Environment Agency for the Mortimer Hill - Monkton's Brook - Tunbridge catchment will be undertaken soon.

14/70 Finance – To resolve to agree accounts for payment for March 2014:

In accordance with the Council's Financial Regulations all the following items for payment were considered together. Cllr Dennett proposed from the Chair that these be paid which was carried unanimously.

- i. Mortimer St John's Hall Management Committee (hall hire NDP) £44.00
- ii. Oakdale Services (flyers and poster for NDP Meeting) £218.80
- iii. The Methodist Church Mortimer (hall hire) £255.00
- iv. Solutions 4 Playgrounds (six monthly playground maintenance contract including fitting of spare parts onto rocking horse) £480.00 inc VAT
- v. J E Kirk (reimbursable expenses) £166.95
- vi. The Co-Operative Bank Visa Direct Debit £43.60, (Post Office £20.00, Flexiform Furniture, replacement handle shed, £21.60 inc VAT and card fee £2.00)
- vii. Dads Shop Ltd £74.29 inc VAT
- viii. Viking Direct (stationery) £131.26 inc VAT
- ix. Thames Water (direct debit) Fairground £10.47
- x. West Berkshire Council (revised amount for rates for Parish Council Office) £632.62
- xi. Brothers Office Furniture (replacement cupboard for office full amount to be

- reimbursed by West Berkshire Council) £294.00
- xii. Grabloader Ltd (delivery of soil for Cemetery) £66.00 inc VAT
- xiii. West Berkshire Council (Parish Office Lease) £750.00
- xiv. Wokingham Borough Council (legal advice) £400.00
- xv. Burghfield Village Hall (hall rental NAG Meetings) £20.00
- xvi. Staples (office equipment, stationery) £69.35 inc VAT
- xvii. West Berkshire Council (bin emptying and play area checks) £976.44 inc VAT

14/71 To receive Correspondence (for information only):

- An AWE update from AWE Media and Public Affairs which covered successes such as the first academic access experiments at the Orion laser facility through the technical outreach programme. It also included information on the apprenticeships and graduate training programmes etc.
- WBC information on the District Parish Conference to be held on 25 March 2014.

14/72 To receive Minor Matters (for information only):

- Cllr Dennett advised there will be no Stratfield Mortimer Community Award is granted this year (2014) as there had only been one nomination which did not quite meet the guidelines.
- WBC have informed the Parish Council that 'Reading Buses are making a significant investment of over £.1 million in six new, ultra-low emission, accessible buses for the Mortimer-Burghfield Common-Reading - Peppard route 2/2a.' Reading Buses are also investing in new branding with 'Vitality' branding replaced by 'lime' branding' which came into effect on Monday 10 March. Last November the Parish Council urged West Berkshire Council to continue discussions with Reading Buses about this route and this enhanced service, and future improvements at Mortimer bus stops, has resulted.
- Cllr Ives briefly reported on the Neighbourhood Action Group (NAG) Meeting held on the 4 February 2014.
- The Clerk was asked to arrange for Cemetery Gates to be painted.
- A Cemetery Meeting is to be convened.
- Cllr Audsley has been made aware of speeding in the vicinity of Victoria Road.
- A vote of thanks was offered to Cllr Blagden for arranging volunteers to plant 420 new trees on the Fairground in two days
- The Clerk was asked to report an abandoned car with no tax disc on WBC land to WBC.

14/73 To receive any future Agenda Items:

- To consider the Public Sector Deposit Fund (CCLA).

Date of Next Meeting: **Thursday 10 April 2014**

Date of 2014 Annual Parish Meeting, St Johns Hall, Wednesday 16 April 2014 at 7:30pm.

The Meeting closed at 9:30pm