ALLERTHORPE PARISH COUNCIL

Unconfirmed Minutes of the Parish Council Meeting (No 186) held in Allerthorpe Village Hall on Monday 21st March 2022 at 19.30.

Present:

Laura Brennan	Chairperson
Clare Metcalfe	Parish Councillor
Sim Wilkinson	Parish Councillor
Bev Butler	Parish Councillor
Angela Batty	Parish Councillor
Jane Smith	Clerk

186.1 Apologies and Welcome

Debbie Forster	Vice-Chairperson
Noel Brennan	Parish Councillor

There were 2 members of the public present.

The Chairperson welcomed everyone.

186.1a Pre-meeting submission by parishioners in attendance

None.

186.2 Declarations of pecuniary and non-pecuniary interests, including any dispensations of pecuniary interest

None

186.3 To confirm minutes of the previous meetings:

185 17th January 2022

The minutes of the meeting were accepted as a true record, proposed by Mrs Brennan, seconded by Mrs Metcalfe and signed by the Chairperson.

186.4 To receive general information/correspondence;

None

186.5 To Agree Finance

a. Current Financial Position:

i. Payments 12.01.2022- 16.03.22

Seven payments were itemised totalling £1,651.20: two salary payments for the Clerk, one including a pay rise and backpay; one monthly BT internet payment, this being the last one before the Village Hall takes over the payments; two payments for office supplies, one for ink cartridges and one for a new laptop; one for a Zoom course on planning; and one for the annual rental of the Village Hall for PC meetings.

Receipts 12.01.2022 – 16.03.2022

No receipts during this period.

ii. Summary of receipts and payments

Since 01.04.2021 there have been receipts of £10,245.53 and payments of £12,633.90. This includes legal expenses of £1,900 carried over from financial year 2020/2021.

iii. Bank Reconciliation
The current bank statement stands at £19,757.39. This is confirmed by the bank reconciliation. It includes the £11,000 still to be paid towards the Village Hall Extension project.
Ms Forster, as a non-signatory, will sign to show that this figure agrees with the accounts.

iv. Asset Register
There has been 1 change to the asset register since the last meeting. The addition of the new Dell Inspiron15 300 laptop.

186.6 Village Hall

Mr Mike Sutton updated the PC about the Extension Project
Briefly, it is 3 years since the design and fundraising commenced; a planning application has been re-submitted. To obtain funding from the National Lottery the outdated Village Hall Trust Deed will have to be changed. A solicitor has been consulted who suggests changing to a CHARITABLE INCORPORATED ORGANISATION (CIO).
In order to comply with legal requirements the trustees must consult with the public and will send a flyer round the village inviting them to a meeting on Wednesday 27th April at 8pm in the Village Hall.
[See Appendix 1 for copy of explanatory flyer]
The chair thanked Mr Sutton for all his hard work. Following a discussion, it was unanimously decided to approve the motion to transfer all the property and assets belonging to the trustee of Allerthorpe Village Hall to a Charitable Incorporated Organisation.
[See Appendix 2 for notice of resolution]

186.7 Planning

a. applications since last meeting

07.12.2021 21/04505/STPLF Construction of Photovoltaic development, installation of battery energy storage system (BESS), energy management and grid stabilisation equipment with landscaping, access and associated infrastructure and erection of temporary construction compounds.
Three cocked hat plantation, Waplington Lane, Allerthorpe *(see agenda item 186.8 for further information)*

17/02/2022 22/00541/PLF
Erection of two storey detached garage to side and extension of existing gravel driveway
Waplington Manor Waplington Lane Allerthorpe *Approve*

21/022022 22/00580/PLF
Erection of single storey to rear following demolition of existing single storey extension and detached outbuilding.
The Village Hall Main Street Allerthorpe *Approve*

25/02/2022 22/00679/VAR
Erection of two buildings comprising a total of 7 workshop and trade units (Use Class B1,B2 & B8)with integrated office accommodation and associated infrastructure (Variation of Condition 10 (Approved Plans) of planning permission 19/03068/PLF and as amended by 20/40046/NONMAT)
Broadhelm Business Park Broadvale Close Barmby Moor *No objection*

b. decisions since last meeting

07.12.2021 21/04495/VAR Variation of Condition 2 (materials) and Condition 5 (approved plans) of planning permission 21/02129/PLF – Erection of single storey extension to side to provide annexe, construction of open-sided porch to side and creation of new vehicular access.
The Conifers, Main Street *Approved*

23.08.2021 21/03215/PLF and 21/03216/PLF Convert and repair derelict forge and adjoining outbuilding to form holiday cottage with single story extensions and installation of roof lights, change of use of piggeries to bunkrooms and installation of rooflights, creation of new driveway/footpath, alterations and extensions to main dwelling to create additional living accommodation following removal of existing structures to front and rear with associated internal and external works, installation of rooflights and erection of a garage/workshop following removal of existing barn.
Low Farm, Melbourne Road *Still pending*

05.10.2022 21/30389/CONDET Submission of details required by Condition 8 (external lighting scheme), 10 (Construction Environmental Management Plan (CEMP: Biodiversity)), 15 (Ecological Enhancement and Management Plan) & 19 (wheel cleaning facilities) of planning permission 21/00107/PLF.
Allerthorpe Park Golf Club *Still pending*
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13/01/2021 21/00133/PLF Erection of extension to existing waste transfer station. (revised scheme of 20/03746/PLF)
Murr Plant and Transport Ltd Waste Transfer Station, York Road, Barmby Moor.
Still pending

186.8 Soay Solar Energy planning application

The clerk reported that an email had been received from Paul Bateman, an Independent Crime Wildlife Officer, who suggests that the Parish Council should request a further ecological badger survey. There are numerous badger setts within the boundary of the planned works. Badgers are protected mammals under the Protection of Badgers Act 1992. A member of the public reported that crested newts are known to be in Allerthorpe Woods. Mrs Metcalfe said that it is very unlikely that the planning application will be refused, but we may be able to mitigate the unwanted effects on nearby properties.
The Clerk will reply to Paul Bateman re a crested newt survey. The Chairperson will ask advice from a crested newt expert from Conifer Lake.

186.9 Vehicular Use of Waplington Lane

Councillors living on Waplington Lane have noticed an increase in the number of vehicles travelling down the Lane expecting to find an entrance to the Allerthorpe Golf and Country Park. This is thought to be due to an error in the address on the website.
The clerk will contact the Golf and Country Park asking that the address is changed on the website, and asking if they would be able to pay for a sign at the top of Waplington Lane stating no access to the Golf and Country park.

186.10 Community Speedwatch
Mrs Butler reported that the volunteers are to have some training in the Village Hall on 25th March, with a view to starting the speedwatch programme in the near future.

186.11 Trespass Group
There has been no further progress to report.

186.12 Queen's Platinum Jubilee
Mrs Batty suggested that we mark the occasion by having a competition for Allerthorpe children to design a commemorative mug or plate, which will then be commissioned for Fangfoss Pottery to make. Each child in the village will then receive one.

186.13 Dates of next meetings
The following dates were agreed:

Annual General Meeting		
followed by		
PC Meeting 187	Monday 16th May	7.15 pm
Annual Parish Meeting	Monday 13th June	7.30pm
PC Meeting 188	Monday 18th July	7.30pm
PC Meeting 189	Monday 19th September	7.30pm
PC Meeting 190	Monday 14th November	7.30pm

186.14 Meeting Closed 21.00

Appendix 1

Allerthorpe Village Hall
Extension Project Update

It is now over 3 years since the design and fund raising for the project commenced.
Unfortunately, due to COVID 19 there have been delays, but the project is still moving forward, and we should be able to commence once we have secured The National Lottery Community Funding (TNL).
A planning application has been re-submitted and competitive building quotes have been received. A builder will be appointed once planning and TNL funding is confirmed.
As a part of this process, The Village Hall Management Committee (VHMC) has been advised that the legal structure of the village hall charity needs to change in order to obtain successful funding from TNL. As a result of this, the VHMC has taken advice from Harrowells solicitors on potential alternative legal structures. The VHMC now recommends converting the current unincorporated charity to a Charitable Incorporated Organisation (CIO).
At a Parish Council meeting on 21st March 2022, this was unanimously agreed and the resolution was passed. It was also agreed that the trustees of the CIO will report to the Parish Council as a matter of good practice, although there is no legal requirement to do so.
The objectives of converting the existing charity to a CIO are to:

- Replace an outdated and inflexible trust deed;
- Provide flexibility in the appointment/removal of trustees;
- Operate as a legal entity which can enter into arrangements in its own right and achieve some protection against personal liability for the individual trustees; and
- Enable AVH to apply for TNL Community Funding.

In order to comply with legal requirements regarding the transfer of the assets (including the land on which the Village Hall sits) from the existing charity to a new CIO, the trustees are required to consult with the public on such proposals. Therefore a meeting to discuss the proposed conversion to a CIO and invite your views on this will be held on
Wednesday 27th April at 8pm in Allerthorpe Village Hall.
The trustees would be delighted to share a discussion on this exciting progression with anyone that wants to attend, and all are welcome.

If you have any questions or require any further information, please contact

Mike Sutton email: mike.sutton1@icloud.com

NOTICE OF RESOLUTION OF ALLERTHORPE VILLAGE HALL
(the "Charity")
CHARITY REGISTRATION NUMBER: 1046753

At a general meeting of the trustee of the Charity held at Allerthorpe Village Hall on 21st March 2022 at 7.30pm, the following resolutions were duly passed as special resolutions:

"Resolution 1:

The trustee of Allerthorpe Village Hall (charity registration number 1046753) (the "**Charity**"), hereby resolves that all the property and assets belonging to the Charity and/or held on behalf of the Charity be transferred to a charitable incorporated organisation which is yet to be incorporated, but which the trustee proposes is incorporated as a new charitable incorporated organisation with the same charitable purposes as the Charity (the "**CIO**").

Such transfer is to take place by way of a legally binding vesting declaration and/or Charity Commission Scheme (as appropriate) as soon as practicable following the incorporation of the CIO, subject to the prior approval of the Charity Commission to the transfer. The trustee notes that the land used by the Charity is designated land and is currently vested in the trustee (Allerthorpe Parish Council) as Custodian Trustee.

The trustee of the Charity is satisfied that the CIO will have the same charitable purposes as the Charity and therefore that the property and assets of the Charity shall be used for the same purposes as they are currently used for by the Charity. The trustee of the Charity believes that it is expedient of furthering the purposes for which the property and assets of the Charity are currently held, for such transfer to take place on the terms set out in this resolution.

Resolution 2

Further, subject to the passing of Resolution 1, the trustee of the Charity hereby resolves to dissolve the Charity following the completion of the transfer of property and assets from the Charity to the CIO. The trustee notes that following such transfer the Charity shall have no further assets or liabilities and can be wound up. The trustee also notes that because there is no express authority to dissolve the Charity in the Charity's governing document, such dissolution requires the prior approval of the Charity Commission."

Signed: …….
Chairman
Date: ……

Signed …… … ……. Date ……..

ALLERTHORPE VILLAGE HALL TRUST
Registered Charity No: 1046753

186. VH 1 Present & Apologies

Present:

Laura Brennan	Chairperson
Clare Metcalfe	Parish Councillor
Sim Wilkinson	Parish Councillor
Bev Butler	Parish Councillor
Jane Smith	Clerk

Apologies

Debbie Forster	Vice-Chairperson
Noel Brennan	Parish Councillor
Angela Batty	Parish Councillor

1 member of the public was present.

185.VH 2 Declarations of pecuniary and non-pecuniary interest including any dispensations of pecuniary interest:

None declared

185.VH 3 Minutes of Previous Meeting

The minutes of the meeting 185 held on 17th January 2022 were agreed as a true record, proposed by Mrs Brennan and seconded by Mrs Metcalfe.

185.VH 3a Matters arising

None

185.VH 4 Finance Report

Mrs Butler prepared the accounts for the meeting. They show a balance in the accounts of £45,005.30.

Total payments since April 2021 were £5,687.33. Total income since April 2021 was £20,670.05.

This includes recent grants of £2,000 from Two Ridings Community Funding and £2,667.00 from ERYC for Support for Village Halls though the Omicrom variant of Covid.

185.VH 5 Management Committee report

i. Mr Mike Sutton has been extremely helpful in applying for grants and making arrangements to change the Trust Deed. He has now become a very welcome member of the Village Hall Management Committee.

ii. The bookings for the Village Hall have increased considerably. In March we have had 46 bookings totalling 73 hours.

iii. We have increased the cleaning to twice a week, have got a regular monthly window cleaner and have installed a sanitary bin in the ladies' toilet.

iv. Mrs Brennan and Mrs Brooke have kindly taken responsibility for regular monthly safety checks, following a Health and Safety and Maintenance Checklist.

186.VH 6 Next meeting
Monday 16th May, 2022

Meeting Closed at 21.15

Signed …… Date ……