



MINUTES of the Meeting of Great Brickhill Parish Council held on Tuesday 7th July 2020 at 7.30pm by Zoom video conferencing

PRESENT: Cllrs Ms B Wight (Chairman), Mr K Boad, Mr D Bratt, Mrs J Haydon, Mr R Kettle,
Mr A Middleton, BC Cllr Raven, BC Cllr Everitt

IN ATTENDANCE: Mrs K Barker (Clerk), 4 members of the public were present
Agenda for members of the public circulated on the newsletter InfoLine

1686 **Apologies for absence** – Cllr Mr C Leech

1687 **Minutes**

The minutes of the meeting held on 2nd June 2020 were approved. Cllr Wight proposed, seconded by Cllr Middleton the approval of the minutes as a true record, all agreed by those present and to be signed by the Chairman at the next meeting in person.

1688 **Declarations of Interest**

There were no declarations of interest.

1689 **Matters arising**

There were no matters arising.

1690 **Reports**

1690.1 Buckinghamshire Council

Cllr Scott Raven and Cllr Ben Everitt attended the meeting. Cllr Everitt said that Bucks Council are trying to manage the easing of lockdown measures and are working with the public sector. The opening of pubs and restaurants has worked well. A number of community grants are available to businesses in the area.

Cllr Raven said that the first Community Board meeting will be held shortly. The Community Board is replacing the Local Area Forum and is a think tank to promote issues in the local area. Cllr Raven recommended that the Parish Council put forward a Representative.

1690.1.1 VALP/HS2/Expressway
There were no updates.

1690.2 Parish Hall Committee

1690.2.1 Project 2020 – Parish Hall improvements

Cllr Bratt said that the builder is making good progress. He said that he has reduced the project costs since last month but due to the fire safety regulations costs there is still a shortfall of £10,500. The Parish Council agreed to cover the shortfall, in principle, subject to the Parish Council financial situation being assessed. It was agreed that a finance meeting could be held via zoom if necessary.

1690.2.2 Little Ashes Pre-School – Log Cabin and Forest School

Cllr Bratt said that the planning application has been approved subject to conditions relating to trees in the vicinity. The log cabin has been ordered and is due to be installed in the second week of September. Little Ashes Pre-School is now open.



1691 **Finance:**

1691.1 Bank balances and finance report:
The Clerk supplied a finance report.

Barclays/Santander	£
Community (Barclays)	48,243.64
Business Reserve (Barclays)	4,303.03
MUGA Sinking Fund (Barclays)	9,463.27
Parish Hall Budget (Barclays)	22,616.57
Business Reserve (Santander)	56,761.28
Business Bond (Santander)	85,412.29
TOTAL	194,608.14

1691.2 The Chairman proposed, seconded by Cllr Haydon the approval of the following payments, all agreed. It was noted that the MGA invoice payments will be staggered throughout July.

Payment method	Payee	£
Bank Transfer	Clerk – salary	557.60
Bank Transfer	Clerk – expenses	26.00
Bank Transfer	Turney Landscapes – grass cutting	750.00
Bank Transfer	Youth Café	300.00
Bank Transfer	C Leech – zoom monthly charge	14.39
Bank Transfer	Barbara Osborne – payroll/pension declaration	91.00
Bank Transfer	Total Play – MUGA Netting	4,980.00
Bank Transfer	MGA Design and Build Ltd – Inv 1032	16,528.51
Bank Transfer	MGA Design and Build Ltd – Inv 1033	22,073.02
Bank Transfer	MGA Design and Build Ltd – Inv 1034	39,534.53
Bank Transfer	MGA Design and Build Ltd – VAT on Inv 1035	3,953.20
	TOTAL	88,808.25

1691.3 Other financial matters:

1691.3.1 On-line banking/payments
Cllr Wight is still to register for online banking.
(Action Cllr Wight)

1691.3.2 St Mary's Church – funding request
The Chairman welcomed Representatives from the Church. She confirmed that a request for funding had been received from the Church to ask for funding from the Parish Council towards new facilities including toilet facilities, baby changing facilities, a servery, improvement to the access to the Church and levelling of the internal flooring. The Church are in the final stages of fundraising and need £35,000 to complete the project. Part of these costs will be £9,425 to create the pathway from the road gate to the new extension at the West door.

The Chairman said that she has been researching the issue and has read several different sources of information including the 1894 and the 1972 Local Government Acts, House of Commons briefing papers on Parish Councils; the NALC website; various local parish and town council advice websites; a site called Law & Religion UK; and the Church of England website; and the actual legislation itself and the outcome is that the Parish Council is unable in law to make a contribution. The Church were informed of this prior to the meeting.



The Church Representatives said that they were disappointed with the decision and have asked the Oxford Diocese for guidance regarding requesting funding from a Parish Council as they believe that they have identified information that supersedes the 1894 Local Government Act and the provision of a safe path to access the church and the provision of toilets available to anyone who chooses to visit the church during daylight hours (10am – 4pm) fit with the section 137 of the Local Government Act of 1972 which permits a Parish Council to contribute towards the maintenance, repair or adaptation of churches on the basis that the expenditure would be in the interests of and bring benefits to some or all of the inhabitants of the area.

The Chairman noted the comments from the Church Representatives and confirmed details of the information she obtained:

- A parish council may only spend money on matters for which it has a power in legislation.
- The **Local Government Act 1894** expressly prohibits councils from spending any money on maintaining or improving church property. In practice this includes the church building itself, the churchyard and the church hall. This legislation is still in force.
- Others (notably church organisations) take a different view of the legal position. The Church of England argues that parish councils already have the necessary powers to make grants to churches under the powers in s137 of the **Local Government Act 1972**. (This is what is known as the s137 power.) The Church of England *Funding Guide* states that: "Section 137 of the Local Government Act 1972 permits a Local Authority (whether at county, district or parish council level) to contribute towards the maintenance, repair or adaptation of churches".
- Section 137 however, refers to local authority donations to a 'charitable body' or one which provides a 'public service', but makes no specific reference to churches, so the CoE funding guide mentioned above is potentially making its own interpretation of the legislation, without reference to the 1894 Act.
- The s137 power which allows a Parish Council to give grants is related to the local population of the council's area and is limited to a certain amount per elector. The figure set for 2020-2021 is £8.32 per elector. The Parish Council would need to check what other donations have/will be made under this provision.
- The Parish Council can contribute to the maintenance of a 'closed churchyard'.

The conclusion from this information is:

- The 1894 Act expressly prohibits a PC from donating to the church, and this has been confirmed by NALC and SLCC.
- A s137 grant (**if lawful**) would allow the Parish Council to donate only up to c.£8000 towards repairs/maintenance (not new development), and only if it did not have other things to spend s137 money on this year



- The Parish Council is not an 'eligible' one under the Localism Act 2011, and even if it were, the Council's auditor would probably object to the donation

The Chairman said that she will forward the links to the information to the Church Representatives detailing her understanding of the law and would be happy to hold a zoom meeting to discuss it further. The Parish Council may have to look at the request more in-depth and take legal advice.

- 1691.3.3 VAT reclaim/Santander funds transfer
The Clerk confirmed that a Santander cheque for £25,000 was raised and paid into the Barclays Bank Parish Council Community Account to ensure adequate cashflow for July pending the MGA Builders invoices and VAT element of those payments. The Clerk said that she will shortly be submitting a VAT re-claim to HMRC. The actual amount is to be determined but is likely to be a significant amount.
(Action Clerk)

1692 **Public Participation**

A member of the public reported fly tipping along Mill Lane in the two passing bays. The Clerk said that she has already reported them.

1693 **Planning:**

1693.1 Planning Applications

- 1693.1.1 20/02144/APP – 6 Stoke Lane – single storey rear extension. The Parish Council support the application. The plans do not appear controversial and due to the rear facing situation and single storey nature of the proposed works will have little, if any, impact on surrounding properties.

1693.2 Decisions:

- 1693.2.1 20/01227/APP – Bryerley Springs Farm, Galley Lane – extension to existing hay barn. Approved
- 1693.2.2 20/01228/APP – Baileywell 16A Heath Road – single storey front and rear extensions. Approved
- 1693.2.3 20/01071/APP – Parish Hall, Rotten Row – erection of log cabin. Approved
- 1693.2.4 19/03952/APP - Park Farm, Home Farm Lane – conversion, extension, repair and part demolition of existing barns to create one residential unit. Approved

1693.3 Other Planning Matters

- 1693.3.1 Planning Responsibility – July/August
Cllr Middleton to review planning applications received.
- 1693.3.2 Cuff Lane development – boundary query
The Chairman reported that the position of the boundary wall at the new development at the bottom of Cuff Lane has been queried as it is taking up all of the grass verge and extends the boundary by 2 metres. The Chairman said that it is unlikely that Anglian Water tankers can get through the reduced road width. The Chairman said that she is looking into it and will contact the planning department and consider reporting it to Enforcement if necessary.

(Action Chairman/Cllr Wight)



1694 **Review of Projects**

1694.1 Traffic Calming Measures

The Chairman said that Cllr Leech has confirmed to Bucks Council that the Parish Council would like to proceed with Phase 2 of the traffic calming measures but there are resurfacing works which need to be done before things can proceed.

1695 **Village Improvements Committee**

Cllr Kettle said that some work has been done by VIC but it is difficult due to distancing regulations.

1696 **Village Matters:**

1696.1 Unregistered land in Great Brickhill
Nothing to report.

1696.2 Public footpaths – progress (Pochards Lake to Cuff Lane)
Nothing to report.

1696.3 Speedwatch
Nothing to report.

1696.4 Misuse of Parish Land – Poors Acre
The Chairman reported that the situation has improved following the extra screening put in place but a subsequent complaint has been received regarding cars parked in the passing bay and carrying out potential drug related activities. This has been reported to the Police. The Parish Council discussed putting bollards up temporarily and reiterated their advice in the interim that all issues with anti-social behaviour should be reported to the Police.

1696.5 Red Bridge, Ivy Lane – emergency repairs
The Clerk reported that the emergency work started on 6th July and will run for 9 weeks. Noted by the Parish Council.

1696.6 COVID-19
The Chairman said that the support network has been quieter.

1697 **Play Areas**

1697.1 Opening of play areas

The Clerk said that she has circulated information from NALC and the Insurers regarding the easing of lockdown regulations that need to be adhered to with regard to the opening of the play areas such as undertaking risk assessments, sanitising of equipment and putting up notices. To be considered.

1698 **Parish Council Administration**

1698.1 Asset Register/Risk Assessment/Standing Orders/Financial Regulations – review

The Chairman proposed, seconded by Cllr Bratt to accept the policies and adopt the new financial regulations, agreed by all.

1699 **Correspondence:** Local Council Review

1700 **Matters for the newsletter**

Hall project, reporting of highway issues, Poors Acre and reporting of anti-social behaviour

1701 **Date of next meeting – Parish Council Meeting - Tuesday 4th August 2020 at 7.30pm**
(planning and finance only)

1702 **The meeting closed at 9.35pm**