

ORLETON PARISH COUNCIL

**Minutes of the Extraordinary Meeting of the Parish Council
held at 7pm
on Tuesday 4th April 2023
at the Village Hall**

Present: Councillors: David Lane (in the Chair), Colin Mitchell, Barry Rogers, Veronica Bishop and Mark Simmons (arrived 7:05pm)

In attendance: Olena Barrett – Clerk to the Council,
Andrew Cadwallader – Acting Chairman of Orleton Recreation Association (ORA)
Claire Owens – Treasurer of Orleton & District Junior Football Club (ODJFC)

1. To receive apologies for absence.

Apologies were **RECEIVED** from Councillor Philip Hardwick.

2. To consider any declarations of interest and written requests for dispensation on agenda items.

Councillor Colin Mitchell **DECLARED** a non-pecuniary interest in item 5 of the Agenda, as a Trustee and Council's representative of ORA.

3. To approve the minutes of the meeting held on 16th March 2023.

The Minutes were **APPROVED** and duly signed by the Chair.

4. Open session (limited to 15 minutes):

Andrew Cadwallader informed the Council that there is no update on issues under discussion further to the correspondence received from Herefordshire Council, including Minutes from recent meetings, as circulated before the meeting of the Council.

5. To consider correspondence from Herefordshire Council on s. 106 funding and agree next steps.

It was noted that the current funds available for pavilion renovations, including all grants monies pledged is around £160k and would be not sufficient for a new building, unless a modular option is pursued.

It was noted that, in order for FA grant funding to be awarded, a Community Use Agreement (CUA) would need to be signed between FA and ORA. It is at present not clear what the terms of any CUA required by the FA would be.

It was **AGREED** that further clarification needs to be sought from the FA on the terms of the CUA. Claire Owens offered to try and establish a best point of contact at the FA for further discussions.

The Chairman invited ORA to consider how any proposed CUA might affect the charitable status of the Trust, under the Charity Commissions public benefit test.

Following issues were put before the Council and discussed:

5.1. The implications of the CUA in possibly creating legal and enforceable rights over the land (ORG) by constituting a license or lease.

It was **RESOLVED** that the Parish Council will seek legal advice through Herefordshire Association of Local Councils (HALC) over the final draft of the CUA once ready.

5.2. It was **AGREED** that any CU Agreement signed between ORA and FA must not create an interest in land.

It was **RESOLVED** that the Council should not be a party to the CUA agreement.

It was **AGREED** that going forward the Chairman and the Clerk of the Council will liaise with the FA, ORA, ODJFC and Herefordshire Council on behalf of the Council and report back as appropriate.

6. Matters for discussion at the next meeting. (No discussion)

- Council's grant for the Coronation Family 'Funday'
- War Memorial cleaning update

7. Date of next meeting – 20th April 2023
NOTED

The meeting closed at 7:29pm

Signed: _____ Dated: _____