

Marhamchurch Parish Council
Wednesday 30th May 2018

An Extraordinary Meeting of the Parish Council was held in the Methodist Sunday School on the above date at 6.30pm.

Councillors present.

18/135 Chair Cllr J Walter, Vice Chair Cllr T Perry, Councillors R Blewett, S Butler, T Edwards. F Hunt, T O'Sullivan & I Waterhouse.

Also in attendance: Clerk Mrs B Heathcote

9 members of the public were present for the meeting.

Record and Approve Apologies.

18/136 Cllr Bray had given his apologies due to work commitment.
Cllr Colwill was absent.

Declarations of Interest.

18/137 Cllr Blewett 5a, b & c - Marhamchurch Shop NRI owns social shares.
Cllr Walter 5a,b & c - Marhamchurch Shop NRI owns social shares.
Cllr Waterhouse 5a,b & c - Marhamchurch Shop NRI spouse owns social shares.

Dispensations.

18/138 It was resolved to approved Cllr Walter's request to use her dispensation relating to MVSL. Proposed Cllr Butler, seconded Cllr Perry Unanimous.

Public Open Session.

18/139 No questions or comments.

Marhamchurch Village Shop Ltd

18/140 a) Cllr Blewett completed a Dispensation Request form to remain for the discussion and not vote for this meeting and the meeting on 19.06.18, in the interests of persons living in the authority's area. It was resolved to approve the request. Proposed Cllr Hunt, seconded Cllr Perry. Unanimous
Cllr Waterhouse completed a Dispensation Request form to remain for the discussion and not vote for this meeting and the meeting on 19.06.18, in the interests of persons living in the authority's area. It was resolved to approve the request. Proposed Cllr Perry, seconded Cllr O'Sullivan. Unanimous.
As requested, CC amended the wording on the draft transfer form for Para 12.4 (a) which now reads "not to use the Property for any purpose other than as a shop and/or public convenience". Cllrs Walter, O'Sullivan, Hunt and the Clerk had met with the parish council solicitor to go over the details in the transfer. Copies of the draft deed had been circulated to all councillors. Following a short discussion, Cllr O'Sullivan proposed to approve the transfer and sign the Transfer Deed according to the Parish Council's stranding orders. Seconded Cllr Butler.
Cllrs Walter, Blewett and Waterhouse left the room. Cllr Perry took the Chair.
Following another short discussion, it was unanimously resolved to approve the transfer and sign the document.
Cllrs Walter, Blewett and Waterhouse returned to the room and Cllr Walter resumed as Chair.
The document was signed by the Chair and Vice Chair and witnessed by the Clerk/RFO.
b) Update on progress with land transfer from MPC to Marhamchurch Village Shop Ltd.
The parish council solicitor had prepared 2 draft documents - one for the existing site owned by MPC and one relating to the land transferred from CC to MPC.
Copies had been circulated to councillors and to MVSL. Subsequent to requests from councillors, the solicitor had prepared an amended draft. Copies of the amended draft had been circulated. MVSL had submitted a list of comments and after consulting with councillors and the solicitor, the Clerk had responded to MVSL. The working party are content that the documents are proper and correct to ensure the Parish Council protect the asset in the best way possible for future eventualities. The parish council solicitor has

not been able to prepare the final documents for approval and signing as there are still some matters outstanding: MVSL has not yet agreed the detail on the transfer documents; MVSL has not yet advised how they execute documents. The Clerk advised that MVSL must provide cleared funds to cover the solicitor's fees before the transfer can be executed.

MVSL has arranged a further 1-month extension to the deadline. MVSL gave verbal confirmation that they are in agreement with the transfer documents and agreed to confirm this in writing. It is hoped to have everything in place in time for the meeting on the June 19th.

c) To discuss and resolve any matters resulting from the information received. MPC solicitor had confirmed that CC will require their costs (max £500) + £1 before the transfer can be registered. The funds needed to be cleared by 31.05.18 and this could only be achieved by a BACS payment. MPC Financial Regulations do not allow BACS payments other than to HMRC, consequently the Clerk made the payment from her personal account. Cllr Hunt proposed that £501 is reimbursed to the Clerk, seconded Cllr Edwards. Unanimous. If CC's fee is less than £500, the solicitor will refund the difference.

Urgent Matters raised with the Chairman since the Agenda was published.

18/141 None.

Date and Items for next Agenda.

18/142 a) 9.06.18.

b) Public Conveniences transfer to MVSL, see Para 18/134b (15.05.18 minutes).