**DIDDLEBURY PARISH COUNCIL**

**Chairman: Cllr D Hedgley**

Clerk/RFO: Mrs Jean de Rusett, The Grange, Leinthall Earls, Leominster, Herefordshire HR6 9TS Tel: 01568 770640 "e" mail address: [diddleburypc@gmail.com](mailto:diddleburypc@gmail.com)

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**MINUTES**

**Of the Extra Ordinary Parish Council Meeting**

**held on Friday 8th April 2016, 7.30pm at Diddlebury Village Hall**

**039/16: Present and apologies for absence**

Cllr. D Hedgley (Chairman), Cllr. M Fowler, Cllr. R Povall, Cllr. K Worthington, Cllr. S Thomas, Cllr. T O'Boyle, Cllr. A Watson

**Apologies**

Apologies were accepted from Cllr. Mervyn Thomas and Cllr. S Povall

**In attendance**:

Clerk - Mrs J de Rusett.

Prior to the meeting - Ms Diana Marten, DPC's solicitor

During the meeting - Mr M Woodhouse and Mr C. Thomas representing the Diddlebury Village Hall Committee.

Prior to the meeting's commencement, the members of DPC discussed at length with their solicitor the legal implications of the requirement of the Big Lottery to take a legal charge over the building and land comprising the Diddlebury Village Hall, of which Diddlebury Parish Council are currently the Custodian Trustees. As a result of the legal advice given, the first Resolution set out on the EGM Agenda had to be adapted, and the second was withdrawn.

**040/16: Declarations of Interest relating to this meeting.**

Members are requested to declare any Disclosable Pecuniary Interests they may have in matters to be considered at this meeting in accordance with the Localism Act 2011 s32 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Declarations were made by Cllr. T O'Boyle and Cllr. Amie Watson - (members of the DVH committee) and by Cllr. S Thomas (married to a member of DVHC).

**041/16 - Business of the Extraordinary General Meeting**

The members were asked to attend this meeting to discuss, inter alia, the following issues relating to the Legal Charge over Diddlebury Village Hall required by the Big Lottery to secure their grant.

041/16/1 To Consider the following Resolution:

"That Diddlebury Parish Council shall transfer to and agree to the vesting in the Official Custodian of Charities all its legal interests as custodian trustee of Diddlebury Village Hall and such parts of its car park as are contained in Land Registry titles SL 181685 and SL 92695."

041/16/2 - to consider the following further Resolution

To consider whether or not to Resolve to transfer to and vest in the Official Custodian of Charities the Parish Council's title to that part of the Diddlebury Hall car park contained in Land Registry Title SL 110651.

Following considerable debate and in the light of the legal advice given, the above proposed Resolutions were abandoned and the following Resolutions substituted:

Resolution No.1 contained in the EGM Agenda

"That Diddlebury Parish Council shall transfer to and agree to the vesting in the Official Custodian of Charities all its legal interests as custodian trustee of Diddlebury Village Hall and such parts of its car park as are contained in Land Registry titles SL 181685 and SL 92695."

The Chairman **Proposed** an alternative **Resolution**:

" That the above Resolution be withdrawn in the light of legal advice received since it was drafted and included in the EGM Agenda."

**Seconded** by Cllr. M Fowler

**Vote:** Unanimous vote in favour by those members present and entitled to vote.

Resolution No, 2 contained in the EGM Agenda

"To consider whether or not to Resolve to transfer to and vest in the Official Custodian of Charities the Parish Council's title to that part of the Diddlebury Hall car park contained in Land Registry Title SL 110651. "

The Chairman **Proposed** an alternative **Resolution**:

"That this Resolution be withdrawn as Diddlebury Village Hall Committee have abandoned any claims in respect of the land comprised in Title No. SL 110651."

**Seconded:** Cllr. Robert Povall

**Vote:** Unanimous vote in favour by those members present and entitled to vote.

Resolution No. 3

The Chairman **Proposed** the following **Resolution:**

"Diddlebury Parish Council shall grant a lease for a period of 20 years (twenty years) to the Diddlebury Village Hall Committee of the land comprising the footprint of the proposed renovated village hall together with such rights of way and easements necessary to facilitate access and services to the renovated village hall. In the event however that the granting of such a lease is lawfully unacceptable or unacceptable to the Big Lottery, then Diddlebury Parish Council will transfer to and vest in the Official Custodian of Charities the land comprising the footprint of the proposed renovated village hall."

**Seconded** by Cllr. M Fowler

**Vote:** Unanimous vote in favour by those members present and entitled to vote.

**041/16 - Any other business (items for information only)**

The Chairman advised the members on the current situation concerning the two recent planning applications at Lower Corfton - 16/00914/FUL, which the Parish Council objected to and 16/00915/FUL which the Parish Council supported, subject to detailed conditions. The Planning Officer to whom the applications were delegated, Mr Luke Ashley, had reversed DPC's response, supporting 16/00914/FUL and rejecting 16/00915/FUL. Considerable discussion had followed this reversal. A problem facing DPC is that Shropshire Council has changed Diddlebury's Place Plan without consultation; the changes have been incorporated into SAMDEv and so SAMDEv does not reflect what the parishioners and DPC had agreed to in terms of future development in the parish. Mr Ashley had relied on SAMDev in reaching his decision on rejecting the poultry sheds application, but supporting the Shepherds Barn development. The Parish Plan and SAMDEv cannot be modified until later this year. It is however understood that both planning applications are going to be withdrawn.

There being no further business raised, the Chairman closed the meeting at 9.35pm and thanked everyone for their attendance.

Date and venue of next meeting:

7.30pm on Wednesday 27th April 2016 at Diddlebury Village Hall.

**MINUTES SIGNED BY**

**DATED**