HICKLING PARISH COUNCIL MINUTES OF PARISH COUNCIL MEETING HELD ON Monday 28th February 2011, at 7pm in the Hickling School Hall

PRESENT: CHAIRMAN: V TALLOWIN VICE CHAIRMAN: H PURNELL

COUNCILLORS: M ELLIOTT, M J ELLIOTT, K MOODY, L WEST, D PUGH, I WATTON

R COOK, D BEALES, K MOODY

Invited guests: S Partridge as Independent Advisor, R Utting as Independent Advisor

and Member of the New Build Team, M Prettyman as Independent Advisor and Official Fund Raiser for the project, R Sandys &

*E Pinkham, representatives for the Phoenix Trust

Apologies: H Gibbons **Clerk:** Mrs S Sainsbury

The Chairman V Tallowin introduced the guests with their reason for being invited and thanked everyone for attending and explained that as commercially sensitive reports and recommendations regarding the new village hall were being discussed the meeting was being held in a Confidential Session.

The Chairman asked for a proposal that a resolution be introduced, under the Public Bodies (Admissions to Meetings) Act 1960 to exclude members of the public and press in order to consider items in a confidential session as above. Vice Chairman H Purnell proposed and Councillor D Pugh seconded such a motion. All were in approval.

* Mrs E Pinkham attendance was questioned, but as she agreed to be bound by the parish council's confidential policy and she was attending in her capacity as a representative of the Phoenix Trust it was proposed by Councillor I Watton and seconded by Vice Chairman H Purnell that she remain in the meeting and all agreed for this motion to be carried.

All attendees, bar E Pinkham, had received the reports and recommendation papers prior to the meeting for perusal and queries to be discussed.

Legal advice has been <u>sought on all procedural</u> aspects surrounding this confidential meeting with the parish council's solicitor N Hancox.

The Chairman thanked R Utting for his précis on the tender quotation.

The documents were discussed and queries answered. The two key points for the parish council are that 1. they are allowed to borrow and 2. they are allowed to fund such a building.

The 'purdah' period is not relevant in this case as the parish council is not a political council and the project has been on going for some years with parish council support and involvement.

Government approval has been given for a Public Works Loan up to £190k.

The Phoenix Trust did not agree with the assumption in the report that they will pay 15% of overall running costs, this equated to £3266. They are prepared to discuss this issue at a later date as they are 100% behind the project. It was agreed to add the wording of 'subject to further negotiations' to this item on the Income Budget of the Business Plan.

R Utting explained that we have a fixed price contract with limited risk, as per his email of the 27th February. Its up to the contractor to satisfy building & planning regulations and Cyril Sweet to ensure the project comes in on budget.

The solicitor has approved a contract that ensures security for the parish council's involvement of this project.

The PWL will be invested in an account ring fenced for the purpose of capital build <u>only until the</u> money is used as a capital contribution for the hall.

As the KPMG report was received late it will not be signed off until everyone involved has seen the report. It was agreed that the words 'satisfactory financial assurance from KPMG' be added after the word 'agreement' in recommendations 1,2,and 3.

Recommendations:-

1. Subject to the Charity agreeing the terms of the Agreement and a satisfactory financial assurance from KPMG, that the Parish Council draws down a Public Works Loan for £180,000.00 (One Hundred and Eighty Thousand pounds) for the purposes of providing a financial contribution to the Charity in respect of the new village hall, for which the annual repayments will not exceed £12,156.00 (Twelve Thousand, One Hundred and Fifty-Six pounds).

It was proposed by Councillor D Pugh and seconded by Councillor K Moody that a loan of £180,000.00 be drawn down, all were in agreement so this motion was carried.

It was proposed by Councillor N Baker and seconded by Councillor K Moody that the repayments do not exceed the amount of £12,156.00 per annum, all were in agreement so this motion was carried.

The number of years <u>over which the loan will be repaid</u> will be dependent on the interest rate on the day that the loan is drawn down.

2. Subject to the Charity agreeing the terms of the agreement and a satisfactory financial assurance from KPMG, that the Parish Council donates the proceeds of sale of the Community Hall, £135000.00 (One Hundred and Thirty-five thousand pounds) to the Charity, again as a financial contribution to the new village hall. The Section 106 agreement entered into by the parish council states that this money is only used towards the new village hall.

It was proposed by Councillor R Cook and seconded by Councillor M Elliott and all were in agreement so this motion was carried.

3. Subject to the Charity agreeing the terms of the agreement and a satisfactory financial assurance from KPMG, that the Parish Council provides a further financial contribution to the new village hall of £9000.00 (Nine thousand pounds) from its own reserves.

It was proposed by Councillor D Pugh and seconded by Vice Chairman H Purnell and all were in agreement so this motion was carried.

4. That, should it be financially advantageous to the project, the Parish Council will procure the professional fees for this project as part of the above financial contribution.

It was proposed by Councillor K Moody and seconded by Councillor L West and all were in agreement so this motion was carried.

5. That the Parish Council resolves to sign the agreement relating to the provision of the new village hall as a Charity asset.

It was proposed by Councillor L West and seconded by Councillor N Baker and all were in agreement so this motion was carried.

There was no further business and the meeting was closed at 9.20pm.