

# The Annual Council Meeting

## MILBORNE PORT PARISH COUNCIL

Minutes of the **Extraordinary** Full Council meeting  
held in The Council Chamber, Milborne Port Town Hall

**Tuesday 16th May 2023 @ 7:00pm**

**Present:**

Parish Councillors: Mr Tim Carty (Chairman) Mrs Margaret Capon  
Mr Rob Lockey Mrs Lyn Harrison  
Mr David Grant Mr Ted Watts  
Mr Chris Phillips Mrs Anna Wagner  
Mr Richard Warren

**In Attendance:**

The Parish Clerk: Mr Simon Pritchard  
Deputy Parish Clerk: Miss Nathalie Hetherington

❖ **Public Questions and Comments:**

Cllr. Wagner enquired after progress with broadband accessibility following recent work by broadband companies in the village; Cllr. Harrison's understanding is that access will be for the outer areas of the villages first.

Agenda Number:	Agenda Item:
18	<b><u>Apologies for Absence:</u></b> Received from; Mr Tom Campbell and Mr Robert Tizzard
19	<b><u>Declarations of Interest &amp; Applications for Dispensations to Participate:</u></b>  <b>A. To receive any declarations of interests from members:</b> Cllrs. Watts and Lockey asked for their connection with the Springfield Memorial Playing Fields to be noted in relation to Item 20. Cllrs. Lockey and Harrison asked for their connection to the SoMP to be noted in relation to Item 21A.  <b>B. To resolve on applications submitted to the Proper Officer for a dispensation to participate:</b> There were no applications submitted to the Proper Officer for a dispensation to participate.
20	<b><u>Springfield Memorial Playing Fields – Legal Setup:</u></b> Cllr. Wagner had circulated a report, this is contained within the minutes in full.  Cllr. Wagner gave the context for the setting up of the Working Group before Christmas last year and talked members through the complex issues surrounding the various leases, terms of reference and trusts in relation to the Village Hall, The Playing Fields Committee and Parish Council regarding the car park and other pieces of land

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	<p>in the area dating from 1961; this she had summarised in the report, including proposed next steps.</p> <p>Cllr. Carty thanked Cllr. Wagner for the hard work that she had put into this research and creating this document.</p> <p><b>Cllr. Carty proposed that Cllr. Wagner’s proposed actions in the report be accepted; seconded by Cllr. Philips and resolved by 7 votes for with 2 abstentions.</b></p>
21	<p><b><u>Community Grant Applications:</u></b></p> <p><b>A. <u>The Sprit of Milborne Port:</u></b> Cllr. Carty proposed that a grant of £640 be made to the Spirit of Milborne Port to pay for the insurance for this year’s fete and Party at the Port; seconded by Cllr. Watts and resolved by 7 votes for, with 2 abstentions.</p> <p><b>B. <u>CATBus Ring &amp; Ride:</u></b> Cllr. Carty proposed that a grant of £500 be made to CATBus Ring and Ride; seconded by Cllr. Watts and resolved unanimously. It was suggested that this service be publicized in the Village Magazine.</p>
22	<p><b><u>Parish Council Insurance 2023/24</u></b></p> <p>The Clerk reported that he had not yet been able to procure alternative quotations for MPPC’s insurance due to those approached requesting further information or not responding in time for this meeting. This will have to be returned to the council once the information has been received.</p>
23	<p><b><u>Tennis Courts Refit:</u></b></p> <p>Cllr. Carty explained what progress has been made so far and that the specification details have now been published on the GOV.UK Contracts Finder website in order to attract tenders. There remain some questions to be answered as the tendering process and logistics are complex due to the involvement of 2 other local Parish Councils. The original agreement with Somerset Council to run the tendering process had been withdrawn by them; some clarifications regarding S106 monies are still awaited from the Somerset Council Localities Team.</p> <p>The matter of who would be paying for the works, thus who was commissioning them, needs to be resolved. An offer has been made that Somerset Council will pay the money they hold over to the Parish Council.</p> <p><b>It was agreed that it was Parish Council’s preference that the Parish Council commission the works directly, with Somerset Council’s support and that the Parish Council draw down the S106 money and the earmarked money that Somerset Council holds for tennis courts.</b></p> <p><i>Cllr. Grant left the meeting at 7.40pm.</i></p> <p><b>Cllr. Carty proposed that the Office approach local contractors for tenders, using the same specification as published on the GOV.UK website, seconded by Cllr. Warren and resolved unanimously by the 8 remaining councillors.</b></p>

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End of formal meeting – 7:45pm

## SPRINGFIELD RECREATION GROUND AND VILLAGE HALL

### Report from Cllr Wagner – Agenda Item:20

#### 1. Car Park

##### **Background:**

The freehold to the car park belongs to the Parish Council (MPPC). The car park is included in two concurrent leases: a 1981 lease from MPPC to the Village Hall Trust (128 year term); and a 2013 lease from MPPC to the Playing Field Trust (80 years).

##### **Issues to solve:**

- i. The car park should not sit in two leases simultaneously.
- ii. The Village Hall Trustees wish to surrender the car park from their lease.

##### **Proposed next steps:**

- i. MPPC to:
  - agree on accepting surrender of the car park by the Village Hall Trustees;
  - confirm with the Playing Field Trustees that the car park will remain in their lease and ensure clear agreement over responsibilities for maintenance etc; and
  - agree points of detail of the surrender terms with the Village Hall Trustees including continuation of access/utilities etc to Village Hall across surrendered land; and exclusion of area for proposed new storage building on north side of village hall.
- ii. Village Hall Trustees to instruct solicitors to advise on the surrender of the car park and draft necessary documentation (in accordance with provisions of 1981 lease and Village Hall Trust documentation).
- iii. Village Hall Trustees and Playing Field Trustees (possibly with support/input from MPPC) to prepare short note recording agreed arrangements for car park lighting.

#### 2. Playing Fields

##### **Background:**

The freehold to the playing fields belongs to MPPC. In 1961, by virtue of a single deed:

- i. the Playing Field Trust was created
- ii. MPPC granted a lease over the playing fields to the Playing Field Trust; and
- iii. the Playing Field Trust was obliged to form a management committee.

It is understood that the aim in 1961 was to separate ownership of the playing fields (by MPPC), control (by the Trustees of the Playing Field Trust), and day-to-day management (by the Management

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Committee). This framework broadly remains in place. Since 2013 the playing fields have been the subject of a new, 80 year lease.

## Issues to solve:

- i. The threefold purpose of the 1961 deed can lend itself to confusion and its scope is limited.
- ii. The current lease (2013) requires review, in particular regarding land on Springfield Road, and responsibility for the play area and capital infrastructure.
- iii. Some changes made over the years may not have been properly implemented - current arrangements would benefit from review and, if required, being put on a proper footing.

## Proposed next steps:

- i. MPPC to meet with the Playing Field Trustees and the Management Committee to discuss and agree:
  - the proposed next steps; and
  - specific terms to be incorporated into any new:
    - Playing Field Trust document;
    - Lease of the playing fields to the Playing Field Trust; and
    - Management Committee Terms of Reference.
- ii. MPPC to agree on supporting the Playing Field Trustees in obtaining fee estimates and instructing solicitors to:
  - advise on updating the terms of the Playing Field Trust;
  - advise on the surrender of the current lease;
  - advise on updating the Management Committee terms of reference;
  - identify any further steps required to put arrangements on a correct footing; and
  - draft documents required to achieve the above changes.
- iii. MPPC to agree to obtain a fee estimate for, and instruct solicitors to advise on, a new lease of the playing fields to the Playing Field Trust.