

Toft Parish Council

Notice of the 741st meeting of Toft Parish Council on Monday 2 October 2017 at 7.00 pm in The People's Hall, Toft

The Public and Press are cordially invited to be present and Members of the Parish are welcome to attend and any may speak under the Open Public Session item and make representation to the Council on items on the agenda
All members of the Council are hereby summoned to attend for the purpose of considering and resolving upon the business to be transacted at the Meeting as set out hereunder



LG Stoehr (Clerk) 26/09/17

AGENDA

Open public session including reports from the County and District Councillors Pelham Structures Ltd – presentation on proposals for land west of Hardwick Road, Toft

1. Apologies for absence and declaration of interests
 - 1.1 To approve written apologies and reasons for absence
 - 1.2 To receive declarations of interests from councillors on items on the agenda
 - 1.3 To receive written requests for dispensations (if any) and to grant any dispensation as appropriate
2. To approve the minutes of the last meeting
3. To consider any matters arising from the last or a previous meeting including
 - 3.1 (3.2) Report on Bennell Farm and S106 update ^(MY)
 - 3.2 (3.3) Trees along Brookside – to consider response from Kingston Parish Council
 - 3.3 (4.1) LHI application - to consider whether to make a bid ^(AT)
 - 3.4 (4.2) Cambridge Building Society account and consideration of interest bearing accounts
 - 3.5 (7.0.8) Assets of Community Value – to consider whether any other locations should be registered
 - 3.6 Registration of Allotment land – to consider correspondence received
4. To consider any correspondence received since the last meeting requiring the Parish Council's attention
 - 4.1 SCDC consultation on Neighbourhood Planning Guidance
 - 4.2 PKF Littlejohn – external audit conclusion
5. Finance, Procedure and risk assessment and use of delegated powers
 - 5.1 To consider the finance report and approve the payment of any bills
 - 5.2 Play inspection reports
 - 5.3 To consider any matter which is urgent because of risk or health and safety
6. To consider any Planning or Tree works applications or related items received
 - 6.1 Planning applications
 - 6.1.1 S/3045/17/FL – Land adj 80 West Street, Comberton – Erection of a 2 storey x 4 bedroom detached house and 1 1/2 storey 2 bay car lodge/annexe
 - 6.2 SCDC decisions to note
 - 6.3 Tree works applications
 - 6.3.1 S/3204/17/TC – 28 High Street
7. Members items and reports for information only unless otherwise stated
 - 7.1 Allotments ^(JM)
 - 7.2 Village Maintenance ^(AT)
 - 7.3 Highways ^(AT)
 - 7.4 Toft People's Hall ^(GP)
 - 7.5 Footpaths ^(EM)
 - 7.7 Defibrillator update report ^(PEE)
 - 7.8 Proposal that the Council considers the funding for the Toft annual fireworks ^(MY)
8. Closure of meeting

Clerk report to Toft Parish Council meeting on 2 October 2017

Pelham Structures Ltd – presentation on proposals for land west of Hardwick Road, Toft
“I write to request the opportunity to present to the Parish Council our proposals for Land west of Hardwick Road, Toft.”

1. To approve written apologies and reasons for absence – any received will be reported to the meeting.
2. To approve the minutes of the meeting on 4 September 2017 - attached
3. To consider any matters arising from the last or a previous meeting
- 3.1 (3.2) Report on Bennell Farm and S106 update
Cllr Yeadon to report.
- 3.2 (3.3) Trees along Brookside – to consider response from Kingston Parish Council
“Thank you for this information. I have now visited the site and understand the situation more clearly.
The trees are of course the responsibility of the landowner. Do you happen to know who owns the field on the edge of which these trees are located? I would be grateful for contact details.
Gail has asked in her letter for an update on the situation regarding the gate in the corner of the adjoining field. A meeting was held with the landowner, the Footpaths and Rights of Way team at CCC and me on 19 May. At this meeting Peter Gaskin of Highways indicated that some funding might be available to provide a solution. I’m not sure if the landowner will have to contribute or not. I have been regularly progressing matters since then, which I’m afraid have been moving slowly, but at least they are moving. The most recent communication from Peter Gaskin (18 August) informs me that following a further meeting with the landowner he is liaising with their contractor who is to work up a design for a suitable gate to replace the existing arrangement, which satisfies the landowners concerns about safety of her horses. He said this might take some time because of other commitments of the contractor. I will continue to progress.”
- 3.3 (4.1) LHI application – to consider whether to make a bid
Cllr Tall to report. The deadline for applications is 15 October.
- 3.4 (4.2) Cambridge Building Society account and consideration of interest bearing accounts
Cambridge Building Society were telephoned on 7 September to inform them that the Parish Council intended to top up the balance of the account and to check the correct payee for the cheque. Subsequently a replacement cheque was sent out for signature, but notwithstanding our informing them of the intention to increase the balance, the Building Society disregarded this and proceeded to close the account on 18 September, enclosing a cheque for the balance.
Given annual leave, the Clerk has not yet had the opportunity to find out interest rates and requests that this item is deferred to the next meeting please.
- 3.5 (7.0.8) Assets of Community Value – to consider whether any other locations should be registered
Proposed at the last meeting.
- 3.6 Registration of Allotment land – to consider correspondence received
Nicholas Hancox of Nicholas Hancox Solicitors Ltd
“Now that I have seen the full documentation, I am sorry to say that I have concluded that an easy or early first registration of this land at the Land Registry in the name of Toft Parish Council is unlikely to be possible.
Let us review what has happened so far with this land and then look at what we can do about it:

The History and The Current Situation:

- In 1935, the Charity Commissioners made a Scheme, vesting the freehold of this land in what is now the Official Custodian for Charities.
- As far as I know, the Official Custodian for Charities still owns the land.
- As far as I know, the Official Custodian is currently holding the land on behalf of the William Eversden Trust.
- The William Eversden Trust is not currently registered as a charity at the Charity Commission.
- There was a charity called Eversden's Charity operating in Cambridgeshire from 1962 to 2013, but it was removed from the Register in 2013. It had "ceased to exist". I don't know if that was the same charity or a different one.
- The land and the charity are being managed by two Trustees, Martin Yeadon and Elizabeth Dolman.

Where We Can Go From Here

- If land belongs to a charity, it is almost impossible for the charity to give that land to a Parish Council. But the charity could sell the land to the Council for its open market value. The cash income would belong to the charity. The Trustees could carefully spend it all by benefitting the beneficiaries of the charity.
- It would be fairly easy for the charity to transfer the managing trusteeship to the Parish Council. If the current Trustees did that, the Parish Council would manage the charity and its land, but the Official Custodian would still own the land.
- It would be fairly easy to transfer the management of the land to another charity with similar objectives.
- It would be fairly easy to register the ownership of the land at the Land Registry in the name of the Official Custodian for Charities.
- On the current evidence, registration of this land in the name of Toft Parish Council is not going to happen, unless the Council buys the land from the Charity.

Please will you discuss this "situation report" with the two Trustees (and of course with the other members of your Council if that is what they want). If you could then give me a steer as to which direction of travel the Trustees are likely to favour, I can give you more detailed advice on how to proceed."

At the last meeting clarification was sought about the "additional land" referred to – this is the adjoining piece of land which the Parish Council was seeking to include in the registration using the rules of adverse possession.

4. Correspondence

4.1 SCDC consultation on Neighbourhood Planning Guidance

Consultation on Neighbourhood Planning Guidance

"South Cambridgeshire District Council is undertaking consultation on draft guidance designed to help local communities decide whether they want to get involved in creating a neighbourhood plan and if they do, it provides advice on how to prepare a neighbourhood plan.

Neighbourhood plans are a community-led initiative giving local communities power to prepare a part of the development plan for their parish or group of parishes. As neighbourhood plans carry substantial weight in planning decision making, equivalent to the weight attached to a district wide Local Plan, there are certain steps that must be followed during their preparation.

The District Council recognises that the planning system is not always easy to understand and navigate and has prepared draft guidance to assist local communities and guide them through each stage. The guidance can be viewed on the District

Council's website: www.scams.gov.uk/npguidance (a paper copy can be provided on request).

The guidance has been prepared as a suite of leaflets covering the key stages in the preparation of a neighbourhood plan; from making the initial decision on whether producing a Neighbourhood Plan is the right tool for your Parish, through each of the stages and processes involved in preparing a plan. It is intended that the contents will be updated periodically to respond to changes in national guidance and regulations, and as we learn from local experience what is working well and what is not locally, and could be expanded to cover additional topics.

This consultation provides the opportunity to comment on the content of the guidance, whether there is sufficient detail (or too much), and whether there are any other issues or topic areas which could be included.

Comments can be made on the draft guidance between **Monday 18 September and Monday 30 October 2017** by emailing: neighbourhood.planning@scams.gov.uk.

We look forward to hearing from you. If you have any queries, please do not hesitate to contact the planning policy team at: neighbourhood.planning@scams.gov.uk or call: 01954 713183.”

- 4.2 PKF Littlejohn – external audit conclusion
The annual audit has been concluded and nothing has come to Littlejohn's attention.
- 5. Finance, Procedure and risk assessment and use of delegated powers
- 5.1 To consider the finance report and approve the payment of any bills – attached. Late invoices will be brought to the meeting.
- 5.2 Play inspection reports
- 5.3 To consider any matter which is urgent because of risk or health and safety
- 6.1 Planning Applications received
* NB Some planning applications may not be specifically listed on this agenda but may still be considered by the Parish Council due to the time constraints of making a recommendation to the District Council. For more information see the current planning application consultations on <http://plan.scams.gov.uk/swiftlg/apas/run/wchvarylogin.display>
- 6.1.1 S/3045/17/FL – Land adj 80 West Street, Comberton – Erection of a 2 storey x 4 bedroom detached house and 1½ storey 2 bay car lodge/annexe
- 6.2 SCDC Decision Notices
- 6.2.1 S/2643/17/FL – Firs Farm, 64 High Street – Demolition of existing thatched garage and workshop building and replacement with single storey annex building – Permission refused.
- 6.2.2 S/2398/17/DC – 19 Millers Road – Discharge of condition 3 (Materials), 4 (Visibility splays) and 5 (Driveway details) of planning permission S/0723/17/FL – Permission granted.
- 6.1.3 S/2511/17/DC – Land adj 32 High Street – Discharge of condition 3 (Brick) of planning permission S/2599/14/FL – Withdrawn.
- 6.3 Tree works
Tree works applications are now available to view on the SCDC portal.
- 6.3.1 S/3204/17/TC – 28 High Street
- 7. Members' items and reports for information only
- 7.8 Proposal that the Council considers the funding for the Toft annual fireworks ^(MY)

Summary of previous month

Balance brought forward	<u><u>67,814.34</u></u>
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Adjustments**Expenditure approved at previous / between meetings**

NEST	PENSION	-57.95	DD
NEST	PENSION	-57.95	DD
J MCCARTEN	SPORTS DAY REFRESHMENT!	-114.42	
LG STOEHR	SALARY	-57.93	
LG STOEHR	SALARY	-57.93	
HMRC	PAYE/NIC	-87.00	

Credits

<i>Total Adjustments</i>	<i>-433.18</i>
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Balance revised after adjustments	<u><u>£67,381.16</u></u>
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Bank Reconciliation to latest statement

Account	Funds	Statement	Outstanding
Current Account	66,723.07	69,594.59	-2871.52
CBS Account	658.09	658.09	
Total	<u>67,381.16</u>	<u>70,252.68</u>	<u>-2,871.52</u>

Expenditure for approval

£

NEST	PENSION	57.95	DD
	SALARY	57.93	
LGS SERVICES	ADMIN SUPPORT	423.26	
TOFT PEOPLES HALL	ROOM HIRE	15.00	
BUCHANS	GRASSCUTTING	359.84	
PKF LITTLEJOHN	AUDIT	240.00	
	<i>Sub-Total</i>	<i>1153.98</i>	
	Balance C/F	<u>66227.18</u>	

Gail Stoehr
Responsible Financial Officer

Notes:

Late invoices will be brought to the meeting