

**MINUTES OF THE MEETING OF FOWNHOPE PARISH COUNCIL HELD AT FOWNHOPE
PAVILION ON WEDNESDAY 5TH NOVEMBER AT 07.30 PM**

Present:

Parish Councillors:
M Williams Chairman
J Boothman
D M Clark
D Colley
P Daines
J Hardwick
F Jolley
J Jones
H Mansell
G Williams

Parish Clerk:
J Bateman

Ward Councillor Pemberton expressed her regret at being unable to attend.

Two Members of the public were present.

Prior to the meeting CSO Smith discussed local policing matters and was given an update on recent crimes in the area.

	ACTION
<p>1. Apologies for absence.</p> <p>Apologies were accepted from Cllrs Corby and Pascoe.</p>	
<p>2. Declarations of interest.</p> <p>None.</p>	
<p>3. Approval of the last Minutes of the last meeting.</p> <p>Decision: The minutes of the last meeting were approved as an accurate record.</p>	Clerk
<p>4. Public Consultation Session on Agenda Items. .</p> <p>Members of the public present were asked if they wished to comment on any of the agenda items. The point was made by the Chairman of the FRFA that, whilst the FRFA had been represented on the working group which had considered the Recreation Field hedges, he personally had not been asked. The Council expressed its regret at this omission.</p>	
<p>5. Finance:</p> <p>a. Invoices for payment.</p> <p>Decisions:</p> <p>The following were approved for payment:</p>	Clerk

£75.00 to HALC for Training Evening.
£193.90 for 2009 Freighter Bookings.
£500.53 for FRFA tractor repairs.
£30.00 for Mr Hill (Attendance on Hedge Laying Course).
£58.75 to NALC for Quality Council application fee.

Up to £120 exc VAT was authorised to supplement the Court Garden Fund to purchase a replacement bench.

**Cllr Colley
Clerk**

The Tree Warden had reported a dangerous tree branch in Court Garden. This might require the services of a tree surgeon with an attendant cost.

Decision: Authority was given to remove the branch as a priority.

Chairman

b. Precept.

Decision: The draft precept for FY09/10 at **Annex A** would be considered at the next meeting.

Clerk

c. Financial Support to Local Projects.

Decision: A suitably worded invitation would be placed in the Flag inviting parishioners to identify projects where an injection of up to £500 would benefit local groups or organisations.

Clerk

6. Planning application - Haughley Cottage DCCE2008/2385/F.

Decision: The application would be dealt with by the Planning Group after further research had been carried out.

Hd Plan Gp

7. Sustainable Communities Act.

The act was intended to provide a means by which county councils and central government could review their operating procedures to identify any changes which could be made to enhance the sustainability of individual communities. Herefordshire Council were already participating in this process.

Decision: The Parish Plan Steering Group would consider amendments to the Plan such that it complied further with the spirit of the Sustainable Communities Act.

**Hd Parish Plan
Steering Gp**

8. Recreation Field Hedges

A course for hedge layers had been completed and approximately a third of the eastern boundary had been laid to a good standard. The Herefordshire Council Countryside Scheme grant of £1,000 had been confirmed. Four hedge layers had been invited to bid for the contract to lay the remaining hedges. Tenders were to be submitted by 17 Nov 08 with the work to be completed by 7 Feb 09. The decision to lay the hedges was reviewed in the light of a letter of objection which had been received. The decision to lay the hedges had been taken at a meeting to which members of the public had been invited and in the light of expert advice. As such, there were no grounds to change the decision.

9. FRFA Constitution.

The 'FINAL DRAFT 9/10/08' of the FRFA Constitution, at **Annex B**, was presented to the Council. It was clear that a number of details in it needed to be

considered further.

Decision: Comments on the draft would be forwarded by 12 Nov 08 to Cllr Colley, who would produce a further draft for consideration at the next meeting.

All

10. United Charities Committee.

Decisions:

The following trustees were appointed to represent the Council on the United Charities Committee.

Cllr Hardwick

Christopher Whitmey
Stuart Symington
Cllr Hardwick

A letter would be sent to Christopher Whitmey and Stuart Symington thanking them for their work.

Clerk

11. Minor information points.

Councillor's phone numbers were being shown on the notice board and in the Flag Directory, but not on the website.

Freighter bookings for 2009 were confirmed as Saturdays: 24 Jan 2-4, 28 Feb 2-4, 4 Apr 8-10, 2 May 8-10, 6 Jun 8-10.

Herefordshire Council had been reminded of their promise to remove silt from under Tan House Bridge and had promised to do it before Xmas.

It had been established that the Skateboard Ramp was not covered by the Council's insurance policy. An estimate for repairs was being obtained.

A siting meeting had taken place for the Speed Indicator device. A trial would take place in the new year prior to full installation.

**Chairman
3 Dec 08**

Annexes:

A. Draft Precept.

B. Draft FRFA Constitution.

**April
2009 to
March
2010**

Fownhope Parish Council Precept

Presented to Council 5th. Nov. 2008

	Comparison with last	
	2008 / 9	2009 / 10
Standard Annual Charges		
Memorial Hall PWLB Loan repayment	2,128	2,200
Clerk's salary	2,600	3,458
Clerk's travel expenses & stationary	800	1,000
HALC Subs	200	250
Insurances	800	800
ROSPA Inspection fee	50	50
Website expenses	100	100
Audit costs	150	300
Hire of meeting room	200	200
Training and meetings	300	300
Election Expenses	750	0
Monthly Waste Collection	600	600
Supplement to Lengthsman to include grass cutting B4224 verge at Scotch Firs & Court Garden	1,500	1,500
Miscellaneous &Optional Charges	500	1,000
Additions to Depreciation Funds <i>(Held within Parish Council Account)</i>		
Rec Field buildings and machinery fund	1,000	1,000
Rec, Field Track maintenance	500	500
Rec Field Fund	1,000	1,000
Sub total	13,178	14,258

New Planned Expenditure

Bus Shelter contribution at Church Croft		1,500
Churchyard care contribution	500	1,000
Total planned expenditure	Sub total	16,758
Funded from reserves		-758
Total Precept for 2008/9	16,000	
Total Precept for 2009/10		£ 16,000

All funds held by the Council are held on deposit except for a fixed sum of £500 in a current account.

Within the general reserve fund the following amounts have been identified to accrue funds for future identified need or projects

*yet to be
actioned.*

	Existing Value	Proposed Addition in 2009/10	Revised Totals
Recreation Field			
a) Buildings & Machinery	5,232	1,000	6,232
b) Track Maintenance	1,099	500	1,599
Stocks/ Lea Brink Footpath	1,500	0	1,500
			-
	7,831	1,500	9,331

**FOUNDATION DOCUMENT
OF
FOWNHOPE RECREATION FIELD ASSOCIATION**

1. **The expression** “The Foundation” means the Foundation called **FOWNHOPE RECREATION FIELD ASSOCIATION** , in the Parish of Fownhope, in the County of Herefordshire, founded and now regulated by an Indenture dated ().

Administration and Title

2. **The Foundation** and its endowment (including the particulars specified in this Schedule hereto) shall be administered in conformity with the provisions of this Scheme under the title FOWNHOPE RECREATION FIELD ASSOCIATION by the elected Officers and the representative committee members (hereinafter called the Management Committee) as the charity Trustees in conformity with the terms of the Agreement dated 9th May 1995 and the Lease and Trust Deed dated 18th. April 2000 between The Parish Council of Fownhope and Fownhope Recreation Field Club.

Provided that until the end of the next Annual General Meeting to be held as hereinafter provided after the date of this revised Scheme Foundation shall be administered by the Trustees and the Management Committee in accordance with the provisions of the Scheme.

The Recreation Field and Pavilion

3. **The Object** of the Foundation shall be the management and maintenance of The Recreation Field , Pavilion and any other facilities which may be properly created thereon for the use of the inhabitants of Fownhope and the neighbourhood (hereinafter called “the area of benefit”) without distinction of political, religious or other opinions, in order to enhance the condition of life for the said inhabitants.
- 4(a) **The Management Committee** (hereinafter called the “Committee”) shall, when complete, consist of residents of the area of benefit and representatives of the users; that is to say :-
- FOUR Trustees** to be elected at the Annual General Meeting to be held as hereinafter provided;
- THREE Trustees** to be appointed by The Fownhope Parish Council (not necessarily serving councillors)
- 4 (b) **The Offices** of Chairman, Vice-Chairman, Secretary and Treasurer are to be agreed by the Trustees in committee annually following the AGM.
- 4 (c) **Additional members** of the committee may be nominated as trustees ;
One member from each of any organisation who hire the field or pavilion on a regular basis (not less frequently than monthly).
Qualification for this membership also extends to any volunteer who carries out regular unpaid maintenance work with a clearly defined scope of responsibility.

- 4(d) The name of each Appointed Member shall be notified to be Secretary of the Committee by the organisation by which the member is nominated.
- 4(e) A person who has previously been a Member of the Committee may be nominated again.

Commencement of Membership of Committee

1. The period of office of a member of the committee shall commence:-
- (a) In the case of an elected Member, other than a Member appointed to fill a casual vacancy, at the end of the Annual General Meeting at which he/she is appointed;
 - (b) In the case of an Appointed Member nominated within one month before an Annual General Meeting, at the end of the Annual General Meeting next after his/her nomination; and in the case of any other Appointed Member, on the day of which notification of his/her nomination is received by the Secretary of the Committee from the organisation nominating him/her; and

Determination of Membership

- 7 (a) Any member of the Committee who is adjudicated a bankrupt, or who makes a composition or arrangement with his/her creditors, or who is incapacitated from acting, or who communicates in writing to the committee a wish to resign, shall thereupon cease to be a member.
- (b) All elected members of the Committee shall cease to hold office at the end of the Annual General Meeting next after the date on which they came into office.

Casual Vacancies

- 8 (a) Upon the occurrence of a casual vacancy the Committee shall cause a note thereof to be entered in the Minute Book at their next meeting and such a vacancy in the office of Appointed Member shall be notified as soon as possible to the proper nominating Organisation.
- (b) A casual vacancy in the office of Elected Member may be filled by the Committee and The period of office of a Member nominated to fill such a vacancy shall commence at the end of the meeting at which he/she is nominated.

Failure to Nominate

9. The proceedings of the Committee shall not be invalidated by any vacancy among its Members or by any failure to nominate or any defect in the nomination or qualification of any Member.

Members not to be personally interested

10. Except in special circumstances with the approval in writing of the Charity Commissioners, no member of the committee shall take or hold any interest in any property belonging to the Foundation, otherwise than as a Trustee for the purpose

thereof, or receive any remuneration, or be interested in the supply of work or goods at the cost of the Foundation.

Meetings of the Committee

11. The Committee shall hold at least two ordinary meetings in each year. A special meeting may be summoned at any time by the Chairman or by any two members upon fourteen clear days' notice being given to all the other Members of the matters to be discussed.

Chairman

11. If the Chairman and Vice Chairman are absent from any meeting, the Members present shall, before any other business is transacted prior choose one of their number to preside at that meeting.

Voting

12. Every matter shall be proposed, seconded and voted upon by the Members of the Committee and determined by the majority votes of Members. In the case of equality of votes the Chairman of the meeting shall have a second or casting vote.

Annual General Meeting

13. (a) There shall be an Annual General Meeting in connection with the Foundation which shall be held in the month of April in each year or as soon as practicable thereafter.

(b) All inhabitants of the area of benefit shall be entitled to attend and vote at the Annual General Meeting.

(c) The first Annual General Meeting after the date of this Scheme shall be convened by the existing Trustees and every subsequent Annual General Meeting shall be convened by the Committee.

(d) Public notice of every Annual General Meeting shall be given in the area of benefit, at least, twenty eight days before the date thereof.

(e) Nominations for Trustees are to be made in writing at least fourteen days before the Annual General Meeting.
In the event of insufficient nominations in writing being received, nominations may be accepted at the Annual General Meeting but written applications (as above) will take precedence for consideration

(f) The persons who are present at the first Annual General Meeting after the date of this Scheme shall, before any other business is transacted, appoint a Chairman of the meeting. The Chairman of subsequent Annual General Meetings shall be the Chairman or Vice Chairman for the time being of the Committee, but, if neither is present, the persons present shall, before any other business is transacted, appoint a Chairman of that meeting.

(g) The Committee shall present to each Annual General Meeting the Report and
Accounts of the Foundation for the preceding year and , after acceptance by the meeting,

promptly forward copies to the Charities Commission and to Fownhope Parish Council (the Custodian Trustee)

Application of Income

15. After payment of any expenses of administration the net income of the Foundation, whether arising from the use of the Recreation Field or Pavilion by other bodies or persons or otherwise, shall be applied by the Committee in one or other or both of the following ways:-

- (a) In the maintenance, repair, insurance and improvement of the Recreation Field and Pavilion and the furniture and effects therein and the payment of rates, taxes, salaries of paid officers and servants and other outgoings in connection therewith;

Surplus Cash

16. Any sum of cash at any time belonging to the Foundation and not needed as a balance for

working purposes shall be invested unless the Charity Commissioners otherwise direct.

Power to make Rules

17. Within the limits prescribed by this Scheme the Committee may from time to time make and alter rules for the conduct of their business and for the summoning and conduct of their meetings, the deposit of money at a proper Bank, the custody of documents, and in particular with reference to:-

- (a) The terms and conditions upon which the Pavilion and Recreation Field may be used for the purposes specified in this Scheme by persons or bodies other than the Committee and the sum (if any) to be paid for such use;
- (b) The appointment as Secretary (to hold office at their pleasure) of one of themselves without salary or some other fit person at such salary, if any, as the Committee may from time to time determine;
- (c) The appointment of an Auditor, Treasurer, Booking Secretary, Building Secretary and such other unpaid officers as the Committee may consider necessary and the fixing of their respective terms of office;
- (d) The engagement and dismissal of such paid officers and servants as the Committee may consider necessary.
- (e) The number of Members, being not less than one-third of the total number of Members for the time being, who shall form a quorum at meetings of the Committee.

Minutes and Accounts

18. A Minute Book and Books of Account shall be provided and kept by the Committee.

Vesting Property

19. The Committee and all other persons capable of being bound by this Scheme shall, unless the Charity Commissioners otherwise in writing direct, do all such acts as may be necessary in order to vest in and transfer to the Official Custodian or Charities all freehold and leasehold lands and hereditaments and all stocks, shares, funds and securities at any time belonging to the Foundation.

Donations

20. The Committee may accept any donations or property for the general purposes of the Foundation and they may also accept donations for property for any special objects connected with the Foundation not inconsistent with the provisions of this Scheme.

Questions under Scheme

21. If any question arises as to the construction of this scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, it shall be determined by the Charity Commissioners, upon such applications made to them for the purpose as they think sufficient, and such determination shall be binding on the Committee and all persons claiming under the Foundation.

Interpretation

22. The Interpretation Act 1889 shall apply for the interpretation of this Scheme as it applies for the interpretation of an Act of Parliament.

Date of Scheme

23. The date of this Scheme shall be the day on which it is established by an Order of the Charity Commissioners.

SCHEDULE OF PROPERTY AND AGREEMENTS

Lease and Trust Deed	Parish Council of Fownhope and Fownhope Recreation Field Club	18th April 2000
An Agreement	Parish Council of Fownhope and Fownhope Recreation Field Club	9th. May 1995

This Schedule is made up to (date to be inserted in this space when all agreed by Charity Commissioners)

Official Seal as required by current legal documentation.