

**HORDEN RECREATION GROUND**  
**Minutes of Meeting held 3<sup>rd</sup> December 2013**

**Present:** Councillor J White (Chairman)  
 Councillors R Bagnall, W Hill, I Roberts, W Smith, J Clark, D Nicol, D Langan, E Connor, L Williams, D Tait, M Robinson and M Clark.

**Apologies:** E Wood, G Phillips

**Staff:** Mr P Davison (Clerk)

**Also Present:**

**HRG**            **Apologies for Absence**

**13/14/42**        Apologies for absence were submitted from Councillors E Wood and G Phillips.

**RESOLVED:** that the apologies submitted be APPROVED.

**HRG**            **Minutes of Meeting held 5<sup>th</sup> November 2013**

**13/14/43**        **RESOLVED:** that the minutes be confirmed as a correct record to be signed by the Chairman.

**HRG**            **Matters Arising**

**13/14/44**        The Clerk advised that there were several developments under item 8 on the agenda and that they would be addressed under that item.

**HRG**            **Public Participation**

**13/14/45**        There were no members of the public present.

**HRG**            **Horden Welfare Bowls Club**

**13/14/46**        Members considered the outline costs provided by the Clerk regarding the refurbishment of the bowls pavilion tea room. The Clerk advised that there would be additional costs in upgrading the electricity supply for the appliances required. Much discussion ensued and Members felt on balance, the costs provided were too high.

A Member advised that recommendations had been considered by the Budget Sub-Committee. The Clerk advised that as this was a matter for the trustee to consider, a resolution could be made at the current meeting on how to proceed. A Member advised that match funding may be available via the AAP in order to help with costs. The Clerk advised that an asbestos survey would be required before works were commenced.

**RESOLVED:** that a specification for the refurbishment of the kitchen be drawn up subject to a total limit of £2,500 and that the Clerk seek funding where available.

*Councillor D Tait declared a prejudicial interest in the following item on the grounds he was the treasurer of the rugby club and left the room at 6.17*

**HRG**            **Horden Rugby Club**

**13/14/47**        Members considered the correspondence previously circulated by the Clerk. They advised on the current ruling, which had been in place since 2005. The Clerk advised that the management plan regarding the Welfare Park was required to be made clearer in regard to the allowance of dogs in areas where sports pitches exist.

It was clarified that the main issue was that visiting teams and their supporters were bringing dogs and subsequently could not have them admitted to the ground.

A Member enquired as to the process for addressing the banning of dogs altogether from the park. The Clerk advised that this would need to be an agenda item submitted in writing before it was included at a future meeting.

**RESOLVED:** that the Clerk write to the rugby club and advise them that the rugby club should liaise with visiting teams not to bring dogs to the ground.

*Councillor D Tait re-entered the room at 6.42*

**HRG  
13/14/48**

**Exclusion of Press and Public.**

that in accordance with Section 2 of the Public Bodies (Admission to Meetings) Act, 1960, the press and public be excluded from the meeting for the following items of business on the grounds that it involves information prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

**RESOLVED:** that the press and public be excluded for the following items.

**HRG  
13/14/49**

**HCW AFC Issues**

Members considered the correspondence previously circulated. The Clerk circulated papers at the meeting to provide further information on progression of actions already completed over the past month and provided a verbal update.

The Clerk clarified that the court proceedings particulars had been amended to include possession and arrears and that they would sign them shortly once the solicitors had verified them. A Member asked if the football club had received a copy of the estimated third party usage of the ground. The Clerk advised that these details had been passed onto the solicitor to respond to the football club.

There was considerable discussion regarding the football clubs request for an informal meeting with the trustee and it was acknowledged that the trustee had already previously resolved to undertake independent formal mediation and had instructed their solicitor to do so.

Members debated that an informal meeting may be more cost effective on the public purse and that positive steps to meet the football clubs requests would reflect better on the trustees; and that a working group of trustees be set up in order to engage with representatives of the football club, the outcome of which to be formally considered by the trustee the day after the meeting. Members also noted that formal mediation should not be dispensed with.

The Clerk repeatedly advised in the strongest possible terms that an informal meeting was not advisable as Members had already agreed to proper independent mediation with legal counsel present. They also advised that any recommendations brought from such a meeting for the trustee to consider for resolution would not have any legal advice attached to it and that Members were at risk of making ultra vires decisions for which they would be accountable, both as a trustee and a parish council. In addition to this, any recommendations or information being brought forward to a meeting outside of three working days, especially regarding financial decisions to be taken would not have the requisite notice attached to it as set out in the Local Government Act 1972 and therefore decisions made may be beyond the council's legal powers to do so.

Discussion ensued with regard to Members duty as charity trustees and whether local government law applied. The Clerk advised that the parish council as a corporate body were the trustees and therefore local government law applied.

A motion was made to meet with the football club on an informal basis.

Councillor E Connor requested to have a record made in the minutes that she did not agree with any informal meeting taking place.

It was

**RESOLVED:** that

- (i) A working group be set up to meet informally with representatives of the football club and report back to the trustee.
- (ii) The Clerk to contact the football club to arrange a date for the meeting during the week commencing 9<sup>th</sup> December at the Social Welfare Centre.
- (iii) The representatives of the working group to include councillors; J Clark, R Bagnall, D Langan, W Smith, W Hill, J White, I Roberts, D Tait and L Williams.

- (iv) A meeting of the trustees be held the following day after the informal meeting to consider the outcome.
- (v) Next steps be considered at the January meeting, should formal mediation not be successful.
- (vi) That HCW AFC's notice regarding the supporters club be NOTED.