

Clerk to the Council

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PORLOCK



Parish Council

Parish Room

Old School Centre

West End

PORLOCK

Somerset TA24 8NP

Signed:

Date:

Minutes of the Porlock Parish Council Extraordinary Meeting

Parish Room, Monday 7 August 2023, 6pm

Copies of minutes and non-confidential reports are available on request.

Councillors Present:

Cllr L Bloys, Cllr S Colson, Cllr D McCanlis (Chair), Cllr D Thornton, Cllr L Thornton

Also present: Annie Dallaway (Parish Clerk/RFO), 6 members of the public

- 1) **Apologies for absence were received by the Council.**
Apologies received from Cllr S McCanlis.
- 2) **Declarations of Interest and Disclosable Pecuniary Interest Dispensations.**
There were none declared.
- 3) **To agree any items to be dealt with after the public, including the press, have been excluded.**
Agenda item 5 will be a Part B item.
- 4) **Public Participation** – there were 6 members of the public in attendance. Members of the public were reminded that the Public Participation session was restricted to 15 minutes with individuals having 3 minutes each.

PUBLIC: Anne Looney

- i) **Agenda item 5 a) suggests negotiations have already commenced regarding the PVTA lease. Can you clarify exactly what the Council is reviewing at today's meeting?**

COUNCIL: The lease renewal process is at a very early stage and the agenda item is to review preliminary advice received from the Council's solicitor. Council will also be reviewing the terms of the lapsed lease.

- ii) **Agenda item 5 is in closed session. Please can you explain in what way the publicity of any discussions could be prejudicial to the Council's legal position or not in the public interest? The Parish Council represents the parish and it is very difficult for us to know what is in the best interests of the parish, if the Council does not discuss things openly. Will full minutes of the meeting and reports be made public?**

COUNCIL: The agenda item is being discussed in closed session as the Council will be considering legal advice regarding the options available and until the Council has determined its position any publicity could be prejudicial. This is standard practice for Parish Councils and is line with legislation and the Council's Standing Orders (see bold text below). Minutes of a closed session agenda item only record the outcome of the debate or any resolutions made. The Clerk will produce a confidential report to be filed with the minutes to ensure that the Council has a formal record of the matters discussed. The Council will keep the PVTA and the Lovelace Centre updated regarding the lease renewal process and the interests of all parties will be represented in the negotiation process.

Cllr Bloys queried why the lease was being renewed and was there any prospect of it not being renewed? The Clerk advised that the lease had lapsed in 2006 so the renewal is long overdue. The Council is reviewing the legal arrangements for all of its assets which includes leases with Council tenants. Essentially, this process is about the Council looking after its assets and making sure that up to date and formal arrangements are in place for all of the property that the Council owns.

PUBLIC: Denise Sage

The Visitor Centre and the Lovelace Centre are very important to the village and any Council decisions should not be to the detriment of these organisations. I am concerned about the financial implications for the organisations in terms of legal costs which may be incurred during the lease renewal process. The PVTA and the Lovelace Centre may never be financially viable but they are providing a very valuable service to the community. The press coverage recently organised by the Visitor Centre was excellent and Chris Miles is amazing as the Lovelace Centre Manager.

PUBLIC: Is there a timescale for the lease renewal?

COUNCIL: The solicitor has advised 8 – 12 weeks.

PUBLIC: Do Visitor Centres in other towns pay rent?

COUNCIL: The Council does not have this information.

In accordance with Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 and the Parish Council's Standing Order 3 d) the press and public will be excluded from the meeting during the discussion of item 5 on this agenda as the Parish Council will be considering legal advice and publicity is likely to prejudice the legal position of the Council.

Council RESOLVED to go into Part B

PROPOSER: Cllr D McCanlis; SECONDER: Cllr L Thornton. ALL IN FAVOUR

5) Legal agreements with other bodies

a) PVTA – to review lease negotiations

Council reviewed the preliminary advice received from the solicitor and noted that the new lease would be very similar to the existing lease as there had been no significant changes in the law. Council reviewed the terms of the lapsed lease and highlighted areas for further discussion with the solicitor. The next stage of the process is for the solicitor to prepare the draft heads of terms for the new lease.

Council considered concerns raised during the Public Session about potential fees incurred by the PVTA during the lease renewal process, should the PVTA decide to take legal advice. This will be an agenda item at the September meeting for Council to consider payment of PVTA legal fees incurred up to a certain amount. Council agreed that the Clerk should contact the PVTA to provide an update after the Extraordinary Meeting.

b) Lovelace Centre – to consider a lease and approve funding as necessary

Council reviewed the preliminary advice received from the solicitor and highlighted areas which required further clarification from the solicitor. The Clerk will continue to liaise with the solicitor and feedback to Council.

Council RESOLVED to approve up to £1K towards legal fees to formalise the arrangement between the Lovelace Centre and the Parish Council.

PROPOSER: Cllr L Thornton; SECONDER: Cllr S Colson. ALL IN FAVOUR

The meeting closed at 8pm