

# Petrockstowe Parish Council Minutes

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Minutes of the special meeting held in the Baxter Hall at 8pm on Wednesday 21st February 2007.

Councillors Present: Cllr S Johnston (chairman) Cllr S Cottle (vice Chairman) Cllr P Vogel Cllr I Fisher Cllr R Watts Cllr W Luxton Cllr A Hunkin Mrs H Harris (clerk)  
No member's public present.

This meeting was called by three Councillors P Vogel I Fisher R Watts to discuss the Play area lease

84 The chairman opened the meeting by asking the clerk why she had not put the agenda on the village notice board at North town cross, said that she wasn't sure if had to

because it was councillors that had called the meeting so she just placed one on the council

notice board at the Baxter hall, he reminded her that every meeting has to be placed on both

notice boards and must do so in the future.

85 Play Area Lease.

Chairman proceeded by asking Councillor Watts why the meeting had been called, before he

answered. Councillor Vogel said that he was the instigator of the meeting as he thought

along with the other Councillors, that it was time that the play area lease was completed

and signed.

The chairman had been asked if he would take the lease to another solicitor to get another opinion, at the Council meeting on the 21st November 2006.

Since then a meeting was arranged with the Baxter Hall to sort out all the outstanding

Matters. A copy of the lease had been sent to Devon Association of Parish Councils and

they agreed that some items on the lease needed to be amended. Since then Cllr Johnston has

come up with unacceptable clauses.

The main outstanding issue was the insurance on the play area. He would also like to see the

E put on the name of Petrockstowe Parish Council

Cllr Luxton asked Cllr Johnston why he kept finding more mistakes on the lease he felt

that it was more opinions than mistakes, he replied that it was facts not opinions Cllr Johnston would like the clause 5.10.2 re worded, the clause concerning the party

Insurance. for play area

Clerk had contacted insurers the requirement is satisfactorily covered by the paragraph

entitled "Other interest" on page 24 of the policy wording "select for local councils"

Clerk produced the booklet for council to see, a copy of the e-mail from the Insurance

Company had been forwarded to the Baxter Hall secretary. Cllr Fisher felt that how

solicitors word these clauses, for insurance purposes, and feels that if the E included on

Petrockstowe the lease should be signed without delay. She also felt that if the landlord

insisted on invoking that clause, then Council could invoke clause giving 3mon notice of

termination.

Cllr Vogel proposed that a meeting should be held in a week's time to finalise lease,

was ruled out of order.

. Cllr Fisher has not been on the council for very long but during her time had parishioners asking why hasn't this play area lease been signed, and would like to see it

signed without any more delay, Chairman said that no one had approached him, Cllr Johnston felt that as Cllr Luxton is Chairman of the Baxter Hall he could that the E

should be added to the heading without going back to the committee. Chairman asked why

he and Cllr Cottle had not been consulted about arranging the meeting with Baxter hall also

this meeting. Cllr Fisher suggested, "that they might be afraid of me", Councillor Hunkin

agreed.

Following further discussion, The chairman said that he would consider what had been

discussed And following consultation with the vice chairman would take the appropriate action.

Chairman asked why the play area had been kept closed if insurance had been paid the

Baxter hall did not pay the insurance until January after we found out that Council could not insure the play area ,until they had the tenancy.

Councillor S Cottle was asked if there were any queries on the lease he wished to raise, his

only query was of 5.3.4, who would be responsible if any thing ran into the wall surrounding the play area,, It was agreed that the council would be responsible and could

make a claim, as this is why you pay insurance.

Clerk advised the council that the Rospa report would take place sometime in March

Next meeting on Tuesday 20th March at 8pm in Baxter Hall

Meeting closed at 8-50pm

Chairman.....Date.....