**Cyngor Cymuned Spittal/Spittal Community Council**

**Clerk & Treasurer**

**Christine Williams**

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**Minutes of Annual Public Meeting held on 1st May 2018 at 7.00pm**

1. **Present:**

W Oriel (Chairperson), Rev D Rees, E Whitby, R Elston, W Oriel, A Jones (Community Councillors),

D Howlett (County Councillor),

C Williams (Clerk & Treasurer).

There were no members of the public present at the meeting.

1. **Apologies:**

There were no apologies received.

1. **Minutes of Previous meeting held on 8th May 2017**

These minutes had been agreed at the meeting of the Community Council held on 5th June 2017 and signed as a true record. They were accepted at this meeting.

1. **Matters Arising**

* The Old Police House – the Community Council solicitor, Mr Stephen Hill, Price & Sons, has looked into this matter. There is disagreement between the owner of the property and the Community Council over damage to the village green because of a disputed right of way into the back of the Old Police House. A letter from Mr Stephen Hill and a letter from the solicitor acting for the owners, Mr Edward Harris, was read to the meeting. The advice from Mr Hill is as follows –

1. ‘It seems to be that there has been a change of character in that we are now dealing with a commercial bed and breakfast operation as opposed to a simple residence. At the end of the day that would be a matter for a judge to decide’.
2. ‘Can the owner establish that the alleged right has been used for a continuous period in excess of 20 years up to today’s date?’
3. ‘There is a question of whether a prescriptive right can be claimed at all over the Village Green. The law on this is complex but essentially a right cannot be claimed over a Village Green by prescription if the exercise of the right causes damage to the green.’

The letter from Mr Edward Harris, acting for the owners of the Old Police House described in great detail the history of the building, included information from a local resident supporting use of this entrance since the 1950’s and stated an intention to proceed to Court if a response was not received within 28 days of receipt of the letter.

After discussion the Community Council restated it position that they do not and never have denied the owner access to the back of the Old Police House. They do however, continue to be concerned at the damage being caused to the village green by the increased vehicular use of the back entrance to the Old Police House. The original sum of £500 set aside to clear up this disagreement had been used in legal fees. A further £2,500 would need to be found to continue to pursue this matter. There are ways of raising this money which were discussed but it was agreed not to proceed with Court proceedings when costs could soar beyond the means available to the Community Council.

As a result of this discussion the following decisions were not taken lightly –

1. A letter to Mr Hill informing him of this decision. Clerk to arrange.
2. A discussion with Mr Roger Barrett-Evans to clarify certain facts. Clerk to arrange.
3. A letter to Mr Harris restating the position of the Community Council in relation to access and damage to the village green and inviting a solution from the owner of the Old Police House. Clerk to arrange.
4. Another attempt would be made to negotiate with the owners to agree a solution which would satisfy everyone. Clerk to arrange.

The Clerk reported a recent meeting with Mr Jim Dunckley (PCC) at the site and as a result he is pursuing possible grants to pay for improved signage and resurfacing options. The possibility of positioning bollards along the top edge of the Village Green is also being considered.

* Speeding Traffic – Mrs Whitby and the Clerk have been trained in use of the speed gun although no work has been undertaken to date.
* Signage – the meeting was informed that new signs were in place near the Village Green and a new path and gate had been constructed at the top of the Back Lane to improve access to the playground.
* Village triangle – white bollards had been in place and seemed to have reduced the problem.

1. **Annual Report**

* A copy of the report for the Year April 2017 to April 2018 was presented and is attached. There was some discussion around the topics covered in the report and where relevant, explanations were given for actions taken. It was proposed by Rev David Rees and seconded by Mrs Rachel Elston that the report be accepted, this was agreed.
* Financial documents – (1) Budget for 2017-18 (2) Predicted Budget for 2018-19 (3) Donations update (these documents are attached). There was some discussion around the figures.

1. **Any Other Business**

There was nothing raised.

The meeting closed at 7.30pm.

The next meeting will be on Tuesday 7th May 2019 at 7.00pm.

Chairperson………………………………………………………………………………………………………………….

Date……………………………………………………………………………………………………………………………..