

# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

Date: 19<sup>th</sup> December 2012

Venue & Time: The Annexe, commencing at 7.30pm

**Present:**

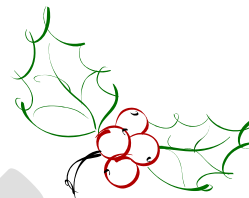
Cllr Gill Boyce  
Cllr Kathy Harrod  
Cllr Ann Kendall  
Cllr Lucinda Pedrick  
Cllr Paul Pedrick  
Cllr Roger Rendle  
Cllr Kevin Yeoman  
Cllr John Yeoman (in the Chair)

**In Attendance:**

Dist Cllr Coulson  
Debbie Ede Clerk & Minute  
Taker

**Apologies:**

Dist Cllr Carter  
Cllr B Sweetman



### Ref 2012/13 Minutes

### Action

**106 INTERESTS** No interests were declared.

### 107 MESSENGER

Cllr Kendall volunteered to write the Messenger report.

### 108 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the Parish Council meeting of 21<sup>st</sup> November were agreed and signed as a true record, proposed by Cllr Boyce and seconded by Cllr Kendall.

### 109 MATTERS ARISING (from previous minutes only)

- A. No date has been confirmed yet for the village 1st aid courses - still hoping to arrange late January, pending advice from Steve Mullen
- B. Both the playground bid (for £1,250) and the bid for £700 to fund the shortfall on the grass protecta purchase for the overflow carpark have been successful with 81.5% of funding granted at the latest Cluster meeting (as the bids on the total fund were oversubscribed).
- C. Emergency Planning forms are still being received; Please could Parishioners remember to FILL IN AND RETURN THE YELLOW FORMS sent out in the Autumn MESSENGER. Spare copies are available from Cllrs Kendall, Boyce and in the Post Office. Reminders were included in the Christmas Messenger; the information will be collated and embedded in the draft plan for discussion early 2013.

### 110 FINANCE & GOVERNANCE

- A. Under the new Code of Conduct Parish councils are now responsible for granting their own dispensations. Accordingly it is necessary to have an agreement on the grounds for which dispensations may be granted and some criteria against which such requests can be assessed. The meeting considered and adopted the protocol, drafted by the Clerk, which will become embedded in the Council's Standing Orders, proposed by Cllr Harrod and seconded by Cllr Boyce.
- B. Linking in with the above Minute and as discussed last month, the new Code of Conduct does not permit any discussion by Councillors with a pecuniary interest so, with all Cllrs being affected by the setting of the precept, all were prohibited from doing so! A blanket dispensation was therefore called for to enable a member to speak and/or vote where they would otherwise have a disclosable pecuniary interest. The grounds for granting this particular dispensation are:



# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

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- a. That so many members of the Council have disclosable pecuniary interests in the matter of setting the precept/Council Tax that it would impede the transaction of the business.
- b. That the Council considers that the dispensation is in the interests of persons living in the Council's area.
- c. That without a dispensation no member of the Cabinet would be able to participate on the matter

Accordingly, having assessed the granting of the dispensation against the following criteria

- d. Whether the nature of the Member's interest is such that to allow him/her to participate would not damage public confidence in the conduct of the Council's business.
- e. Whether the interest is common to the Member and a significant proportion of the general public
- f. Is the participation of the Member in the business that the interest relates to justified by a member's particular role or expertise?
- g. Whether the interest is trivial or remote

the meeting granted a blanket dispensation for all nine Parish Councillors, effective immediately and to remain in force for a maximum of four years, or until repealed by Council, to enable Members to speak and vote at meetings of the Council (as defined in the Code of Conduct) relating to Setting the Council Tax or a Precept, proposed by Cllr T Yeoman and seconded by Cllr Boyce.

C. 2013/14 BUDGET & PRECEPT - c/f to January 2013 For information:

*The Government is replacing the existing national council tax benefit scheme with a "local Council Tax Support Scheme". In financial terms the new scheme will have the effect of reducing the council tax base for an individual Town or Parish Council, normally represented by the "Band D equivalent". In contrast, if the local scheme adopted for Council Tax Support, includes income from introducing technical changes to Council Tax (such as removing the 10% second home discount), this will have a beneficial effect of increasing the council tax base for an individual Town or Parish Council. This is a significant change which SHDC are currently working through. At present the effect of these two changes on the Parish Council's tax base is unknown. Due to these changes, NALC (National Association of Local Councils) are advising Town and Parish Councils to hold their precept setting meetings in January 2013. We are required to return the precept amount to SHDC by Friday 1<sup>st</sup> February 2013.*

- D. The monthly accounts and bills to pay were received including late additions of £120 to Gill Whitmore and £24 to MVH, both in respect of zumba sessions. A proposal to accept the accounts and authorise the payments was made by Cllr Boyce and seconded by Cllr L Pedrick, it was passed unanimously and the cheques were drawn.
- E. A request for funding had been received by the CAB which would be considered at the January Precept discussions.
- F. Cllr Kendall will bring some 2013/14 income projections for the Messenger to the January meeting to inform the precept and budget discussions.
- G. The school are forwarding us copy invoices and an update on their progress with their rubbish initiative and community notice board (ref the TAP fund bid) to allow the £325 to be released.
- H. The meeting expressed their sincere thanks to Hope Cove Weekend for their generous donation of £500 towards the new playground.
- I. Cllr T J Yeoman reminded the meeting about the new Community Right to Bid; in essence if there is a capital asset in the village that might be of interest/importance to the local community in the future then we have the ability to register an interest. If this asset then



## MALBOROUGH PARISH COUNCIL

### Minutes of Parish Council Meeting;

---

comes on the open market, the Council have 6 weeks to express an interest in buying it and 6 months to buy it. It was confirmed we own the Well already but not the Green/or the Pound and it was proposed to add these two to the register. As agreed last month we would also register the rest of the Church field - (Glebe field) in case there was a need to extend the graveyard in future and the Public Toilets.

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#### 111 POLICE BUSINESS -

Nothing to report although Cllr Harrod again raised concerns about pavement parking on the corner of Cumber Close which obstructs access for emergency vehicles and is therefore a police matter. Last month PCSO Gibson had informed Cllrs that he had ticketed a couple of cars for parking in the turning bay and the matter would again be referred for action.

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#### 112 HIGHWAYS

- A. The Road Closure scheduled for 26-28th November Malborough Green to Higher Town did not take place, presumably because of the floods experienced Devon wide at that time with SWW resources subsequently deployed elsewhere. Given another application has been made for the same area for 12-14<sup>th</sup> February we presume the leak will be mended then.
  - B. The Well Hill closure scheduled in January for drainage works has now been cancelled.
  - C. A Travelling in Winter information leaflet has been received from DCC. It gives details of the primary salting network which excludes Hope Cove and means the gritter lorries no longer come through the village. However this was queried by Cllr P Pedrick due to the siting of the Rescue Services at Hope Cove - lifeboat/coastguard station and two 1<sup>st</sup> responders. Does this not mean there is a legal obligation on DCC to salt the road access. This was confirmed by Dist Cllr Coulson who will remind the Council as will we.
  - D. Outstanding by DCC are the reinstatement of the cycle track sign, the traffic speed restriction sign on Collaton road and the finger post at Soar. The Shute Park sign has also not been resurrected.
  - E. Cllr Harrod shared parishioner concerns about the new disabled bay in Lower Town being abused by people without a Blue Badge. No approach had been made by Highways to the Parish Council instigating this new space - it was agreed that the Council would approach DCC querying the rationale and expressing concerns. Cllr P Pedrick also queried whether the minimum legal access width was left if a large vehicle was parked in this bay?
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#### 113 FOOTPATHS TREES & ALLOTMENTS

- A. Cllr Yeoman informed the meeting that there had been a dog control order pre-consultation event at Follaton house on 26<sup>th</sup> September; in due course there will be a dog enabling order with the ability of Parishes to raise supplementary orders to protect named public areas. However Parishes would need to enforce and fund any local orders. The changes will subject to formal public consultation. Cllr Boyce expressed on-going concerns about the incidence of dog mess around Lower Town - parishioners are asked to report specific problem areas, identify the dogs involved where possible and the times of day when the problem is worse so that the SHDC dog warden has some information to act on.
- B. Allotments - the meeting noted that payment had been received from the plot holder 2 years in arrears. There is a wish to include the allotments in the 2013 Open Gardens Scheme; Cllr Boyce has liaised with Louise Tucker who said they would probably like to participate but steered away from having a competitive element and a cup for the best allotment.



# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

---

- C. SW coast path are celebrating their 40<sup>th</sup> anniversary in 2013 with various events scheduled see [www.greatsouthwestwalk.co.uk](http://www.greatsouthwestwalk.co.uk)
- D. Cllr Pedrick reported major cliff slides around Hope Cove/Thurlestone with sections of the cliff path being closed
- E. Re the Parish participating in the P3 scheme (where we would take over path maintenance) DCC don't want to add the cycle track to the scheme, even as a pilot. Thus the meeting felt there was no point in the Parish joining the scheme as the cuts of the cycle track and its associated problems are our main concerns and the NT own a high proportion of other paths.
- F. Re the cycle path there is a continuing problem with thorn hedge. Cllr P Pedrick queried whether alternative planting could take place in front to screen the thorn? Cllr Kendall queried whether anyone had talked to the landowner explaining the problem? It was agreed we would approach DCC to ascertain the current position and their agreement with the landowner.
- G. o/s and c/f : Cllr J Yeoman is obtaining quotes for the resurfacing of the Pound Path and the cut of the Collaton bank is waiting on the weather

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### 114 VILLAGE HALL

- A. The laying of the grass protecta for the overflow car park has now been completed. There is a balance owing to the PC which is largely bridged by the recent TAP fund award. This balance will act as a pre-payment against grant awards in 2013/14.
- B. As discussed last month there is an on-going cost for the more complex grass cutting around the playground. The VH&PFA wish to keep the contract at 26 weeks because in previous years this has been required and, indeed, this year we have been cutting in late November. Having had three tenders for the work they have agreed to award the grass cutting contract to Jonathan Hawtin of Malborough Garden Services (previously Inside Out). They are asking Jonathan to let them have a docket for each cut that he does and in this way they will track the number of cuts undertaken each year. They suggest that, at the end of each year, reconciliation is done with the PC and any overpayment adjusted at that time. Given this Cllr T J Yeoman proposed that we agree to fund
  - a. 100% of the cuts for the play area to a maximum of £1,400 as per the most competitive tender and
  - b. 50% of the other area to a maximum of £750 p.a. However this would preclude any in year bids coming forward from MVH for sundry funding assistance (Christmas trees, lighting etc...) as nothing else could be afforded within the preceptThe meeting agreed this in principle but the proposal would be revisited in the precept discussions next month and assessed for affordability.
- C. Date for the Diary; the Malborough Village Fete is on the 6th July 2013 - 12 noon - 4pm

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### 115 FACILITIES FOR YOUNG PEOPLE

Fundraising continues for the 3<sup>rd</sup> phase and, as advised last month we were successful in getting another £7,500 from the QEII - Fields in Trust Inclusion Fund for the playground. Cllr Kendall congratulated the Clerk for the on-going fund-raising. Cllr T J Yeoman announced that a new grant of £500 has just been received from Hope Cove Weekend. The meeting expressed their thanks and appreciation. Two more funding bids have also been submitted, or are in the process of being finalised, one to the St Austell Brewery Charitable Trust and the other to the Devon Community Foundation. If these are successful (outcome known January -February 2013) we will have reached our funding target and the 3<sup>rd</sup> phase can be commissioned! Draft safety signs have been designed and



# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

---

are pending on identifying the final funding partners to be credited and Cllr P Pedrick will liaise with Dave Illingsworth re display options and bring the costs to the next meeting (size c. 2'6" by 3'6" on two legs). Query could Malborough Jubilee Playground be routed on the face of the notice?

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### 116 PLANNING

No new applications have been received by the Parish Council this month this month

#### SHDC Decisions

**33-2111-12-F** Conditional Approval: Site Address: Hope Thatch, Higher Town, Malborough, Kingsbridge, TQ7 3RL. Householder application for demolition of existing lean-to extension and erection of replacement single storey extension

**33-2112-12-LB** Conditional Approval: Site Address: Hope Thatch, Higher Town, Malborough, Kingsbridge, TQ7 3RL. Listed building consent for demolition of existing lean-to extension and erection of replacement single storey extension

**33-2467-12-F** Conditional Approval: Site Address: Bolberry House Farm, Bolberry, Malborough, Kingsbridge, TQ7 3DY. Full application for permanent planning permission for established clay pigeon shooting ground.

- Cllr Kendall reported that permission had not been granted for Thursdays, an omission by SHDC and a minor amendment is being made.

**33-2454-12-LB** Conditional Approval: Site Address: Alston Manor, Malborough, TQ7 3BJ Listed building consent to repair and replace where necessary timber sash windows and roof structure. Re-finish roof in natural slate and carry out works to repair staircase

Discussions took place re a recent application for Crab preparation; Dist Cllr Coulson undertook to look into this.

- A. Enforcement matters outstanding include:
- a. Progress on re-reinstating the bank at 2 Great Lane – Cllr Boyce reported that chestnut paling fence had now replaced the Devon bank.
  - b. The height of the new build barn at Higher Soar.
  - c. On-going problems at Cross Park, again Dist Cllr Coulson reported that the issues are in hand with the SHDC enforcement team and the Council's legal department. Dist Cllr Coulson agreed to ask for a progress report and to also approach DCC as to the conditions around the splay and hedge. However Highways have come back and said the associated parking problem was not their problem, as it is not on their land. Further concerns o/s re. environmental health issues re smoke and frequent burning which resulted in smoke funnelling across the road plus other fires lit in the field below the property. Dist Cllr Carter had previously undertaken to follow all the issues up including use of SHDC waste bins for transporting wood.
- B. A letter had been copied to the Council, and addressed to SHDC Enforcement, from a Parishioner questioning the number of movements out of the Bolt Head airstrip, alleging that the number was in excess of, and therefore in breach of the planning conditions and asking for this to be investigated. This tied in with the Council's request, when considering the recent planning application for the hangar, for movements to be monitored and planning conditions to be enforced.





# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

---

- C. There was an on-going query about work being done at Westerlings in Collaton Road, whilst a like for like replacement would not require planning, trees are being felled so there is a need to keep an eye on the development. Dist Cllr Coulson to liaise with planning.
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- D. The meeting noted that SHDC and West Devon Borough Councils are currently working with Dartmoor National Park, Plymouth City Council and Cornwall Council on the commissioning of a new Strategic Housing and Market Needs Assessment (SHMNA). This will form part of the evidence base to support Development Plans and Housing Strategies of the participating authorities. The National Planning Policy Framework (NPPF) requires local authorities to prepare an evidence base that objectively assesses the future housing needs of different groups in the community, for both affordable housing and market
- E. Re. the Batson Cross development; Work has started recently on the next stage of development of a site on the edge of Salcombe now called Batson Cross. As part of the consultation on this project a small Steering Group of local (Salcombe) people has been set up. Malborough have been invited to participate because the site is probably more visible from parts of their parish than from parts of Salcombe. There is a project website ([www.batsoncross.com](http://www.batsoncross.com)) which will give more information. There are drop in events on the 19&20th January at the school (Salcombe) and an invitation only workshop on the evening of the 29th. It was agreed that Cllr P Pedrick would go as the Councils' representative
- F. A letter from CPRE Plymouth and South Hams giving their policy position on the significant number of applications being made for large industrial-scale turbines and solar farms.
- G. Re the noise complaint about the new Galmpton wind turbines, Dist Cllr Coulson advised that SHDC environmental health are putting microphones in nearby dwellings to assess the issue. Dist Cllr Coulson advised that SHDC are still drafting their policy re wind farm/turbine development and awaiting guidance, currently the only grounds for refusal are re the AONB /visual impact and noise pollution.
- H. SHDC Executive have adopted the Masterplans and Development Briefs Supplementary Planning Document (the what and the where, not the detail) – setting out the framework for the Council when considering the approval of any submitted Masterplan or Development Brief.
- I. Cllr Yeoman informed Cllrs that, unfortunately, a prior commitment and illness prevented attendance at the recent Neighbourhood Planning Seminar. However the meeting was reminded that Dist Cllr Coulson had undertaken to get a SHDC representative to brief the Council in the New Year, this waits on the development of a training programme by SHDC. Dist Cllr Coulson also said he was arranging a seminar locally re Masterplans and will liaise with us re timings etc.
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### 117 DISTRICT COUNCILLORS REPORT

Dist Cllr Coulson advised that;

- A. The 10% rebate in Council Tax was being removed for 2<sup>nd</sup> homes. He said he had voted against this as, in Salcombe, a large number of 2<sup>nd</sup> homes would move to business rates with a resultant decrease in Council tax revenue.
- B. District Councillors had voted through a 1% increase in their allowances .
- C. There was an on-going review and restatement of SHDC Affordable Housing (AH) Policy given the change in emphasis by Central Government which, essentially, says don't let non economically viable affordable housing targets block development, flex the % of AH downwards as necessary. SHDC are still aspiring to 20-25% AH but this percentage will be decreased if employment provision is included in the planned development.



# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

---

- D. The results of the recent SHDC waste survey suggest that 86% of SH residents are happy with their fortnightly collections with the proviso that there is a move to weekly collection for food waste. This ties in with EU regulations and it is probable smaller bins and wagons will be introduced although plans are still to be costed. Cardboard will, from 2014, have to be handled separately from green waste and all plastics will become recyclable. There is a debate about whether green waste is seasonal?
  - E. Cllr Rendle asked about progress to reduce fly tipping - the meeting accepted there had been a definite increase in fly tipping offences and suggested it was surely cheaper to allow such rubbish to be taken to the tip rather than dumped in hedgerows and subsequently cleared up by the District Council. Dist Cllr Coulson advised however, with SHDC picking up the costs of the latter and DCC taking profits from the formal tips (which reduce with the non-recyclable elements), the common sense solution is muddled by the money trail!
  - F. Cllr Boyce queried the planned toilet closures; Dist Cllr Coulson assured the meeting that if the Malborough Toilets are used then they would not be closed. He undertook to expedite the repair of the recently reported light failures together with forwarding Cllr Boyce's complaints about the malodorous gents toilet!
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### 118 BUSINESS UNDER DIRECTION OF THE CHAIRMAN

Cllr Boyce reported further complaints about fireworks at the Old Vicarage. Following discussions with the caretaker/duty manager, it transpires that the Old Vicarage adhere to, and promote on their website, Government Policy. However with the Old Vicarage sited amidst thatched cottages and with horses grazing adjoining land there remain real concerns about safety. Dist Cllr Coulson suggested we ask SHDC for the legal position to be clarified and Cllr P Pedrick suggested we contact the Fire Officer re our concerns.

**The Chairman and Councillors wished everyone in the Parish a HAPPY and PEACEFUL CHRISTMAS/HOLIDAY**



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### 119 CORRESPONDENCE

There was no correspondence other than that taken under the agenda

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There being no further business the meeting closed at 21.45hrs

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**DATES FOR THE DIARY:** the next Parish Council Meeting would be held on Wednesday JANUARY 16th at 7.30pm at **the School.**

Signed as a true record: \_\_\_\_\_

Print Name & Date: \_\_\_\_\_



# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

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Actions default - unless otherwise specified the Clerk takes forward any agreed actions

Agenda Items and Updates; where possible please could these be submitted to Debbie by the 1<sup>st</sup> Wednesday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Debbie for distribution) together with their apologies.

### Distribution List

Cllr. Gill Boyce  
Cllr. Kathy Harrod  
Cllr. Ann Kendall  
Cllr. Lucinda Pedrick  
Cllr. Paul Pedrick  
Cllr Kevin Yeoman  
Cllr Barry Sweetman

All Saints Church  
Cllr. Roger Rendle  
Cllr. John Yeoman (Chairman)

### For Information

District Cllr. John Carter

District Cllr. Paul Coulson  
County Cllr. Sir Simon Day  
Mr Tony Lyle, Ms Louise Tucker, Mr E Putt

Salcombe Police Station  
Mrs E. Bond  
Reverend T Skillman

Malborough Parish Council Notice Boards (2)  
Malborough Primary School  
Malborough Village Hall Committee: Mr A Morgan, Ms Da Einon, Mr A Purchase

**JUBILEE MUGS** - yes there are **STILL SOME LEFT**, ideal Christmas stocking fillers!!



*These mugs were commissioned by Malborough Parish Council to celebrate the Queen's Diamond Jubilee Year.*

*They are available at Malborough Post Office during opening hours or ring Gail on 562058.*





# MALBOROUGH PARISH COUNCIL

## Minutes of Parish Council Meeting;

Category	Descriptor	Paid In	Paid Out	Cash Book Balance
	<i>Cash Book Balance b/f from last month*</i>	<i>amended by £245 pd in below</i>		12,130.24
Receipt	HCW - playground donation	500.00		12,630.24
Receipt	burial ground	240.00		12,870.24
Receipt	Messenger - OOP	211.00		13,081.24
Receipt	Messenger - subs	54.00		13,135.24
Receipt	Mugs	15.00		13,150.24
Receipt	Messenger - advertising	62.50		13,212.74
Receipt	zumba	83.00		13,295.74
Receipt	Interest (gross)	0.60		13,296.34
Receipt	Allotments	55.00		13,351.34
Receipt	Messenger - advertising	447.00		13,798.34
Receipt	zumba	58.00		13,856.34
Payment	Farm Forestry - grass protecta		- 1,905.60	11,950.74
Payment	Farm Forestry - grass protecta		- 1,905.60	10,045.14
Payment	RBL poppy appeal		- 70.00	9,975.14
Payment	gill whitmore - zumba		- 160.00	9,815.14
Payment	t j yeoman - parish map laminate		- 5.00	9,810.14
Payment	saltaire		- 135.00	9,675.14
Payment	A Kendall Messenger expenses		- 58.88	9,616.26
Payment	P Cole Messenger expenses		- 5.00	9,611.26
Payment	MVH&PFA		- 62.50	9,548.76
Payment	G Boyce - Pound expenses		- 39.98	9,508.78
Payment	Viking		- 235.00	9,273.78
Payment	D Ede Salary		- 520.46	8,753.32
<b>TOTALS YTD Financial year 2012/13</b>		<b>£ 50,579.36</b>	<b>-£ 59,530.53</b>	
<b>RECONCILIATION CASH BOOK TO BANK</b>				<b>£</b>
Cash book balance b/d	<b>FY 2012/13, months</b>	<b>9</b>		<b>£ 8,753.32</b>
Balance at bank at end :			<b>31st October</b>	
	<b>Revenue Accounts</b>			
	<b>Unpresented Items</b>	receipts		<b>8,149.60</b>
		payments		<b>1,755.50</b>
				<b>- 1,151.78</b>
				<b>£ 8,753.32</b>
				<b>Variance</b>
				<b>-</b>
<b>ACCOUNTS FOR PAYMENT</b>				
D Ede (Salary)	<u>for December</u>	<i>paid on 15th of the month by standing order &amp; included in the above balances</i>		<b>520.46</b>
Plus	MVH&PFA (zumba)			36.00
	Saltaire			90.00
	G Whitmore zumba			120.00
	MVH&PFA (zumba room hire)			24.00
	T Lyle			22.99
	Clerk - petty cash			19.20
				<b>312.19</b>
<b>RECEIPTS &amp; PAYMENTS REPORT TO COUNCIL</b>				
<b>MEETING DATE</b>		<b>19th December 2013</b>		
Prepared By:	<i>Debbie Ede, Clerk to the Parish Council</i>			
Date:	<i>19/12/2012</i>			

