

Marhamchurch Parish Council

Tuesday 9th December 2025

An Extraordinary meeting of Marhamchurch Parish Council was held on the above date at 7:30pm, in Marhamchurch Sunday School Rooms.

Councillors Present:

Chairman Cllr Perry, Vice-Chair Cllr Edwards, Cllr Biddick-Bray, Cllr O'Sullivan, Cllr Polkinghorn.

Also in attendance: Clerk E Hawkins.

1 member of the public was present for the meeting. The Chairman, Cllr Perry opened the meeting and welcomed everyone.

Record and Approve Apologies.

25/262

Cllr Burnett sent his apologies due to prior commitment. It was resolved to approve the apology. Proposed Cllr Edwards. Seconded Cllr Perry. Unanimous.

Declarations of Interest.

25/263

- (i) None.
- (ii) No new declarations.

Dispensations.

25/264

- a) To note approved dispensations relevant to items on the agenda:
 - (i) None.
- b) To review new dispensations requests.
 - (i) None.

Matters Arising.

25/265

None.

Public Open Session.

(To receive statements, questions, and answers from the public on an agenda item)

25/266

No comments.

Hele Valley Trail

25/267

Update: Clerk updated that a request for extension to the Community Ownership Fund had been submitted, and verbal approval has been granted. This will give a little more time to finalise details and provides Clerk some additional time to complete admin side of things too. This does not mean a delay to the completion of the purchase.

Signed: _____ Chairman. /2025

- (i) Review of Contract for the sale of Lot 1, Hele Valley Trail, Marhamchurch.

An email was received from Parnalls Solicitors today regarding proposed amendments to Clause 16.3 of the contract, with permission from acting Solicitor the following excerpt is stated below:

Cross indemnities were suggested, so that the PC would be indemnified for the consequences of breaches prior to completion, but would in turn indemnify the sellers for breaches after completion. It was further proposed that the indemnities for prior breaches would apply whenever the problem was discovered.

The sellers will accept the principle, but were not comfortable with the potential uncertainty of when, if ever, a breach might be discovered. It is not known whether a change of ownership would automatically prompt a re-inspection. Adopting a 5-year period as agreed in a different context for grass and hedge cutting was considered an acceptable timeframe.

It was proposed to accept the contract subject to the inclusion of the amendments sent to the Parish Council on 9th December re 5-year indemnity clause. Proposed Cllr O'Sullivan. Seconded Cllr Edwards. Unanimous.

The Parish Council was told by the vendor (who was at the meeting) that he was happy to agree to the required 12 months registration requirements re transfer of Woodland Grant Agreement to the Forestry Commission. This will need to be amended in the Contract of Sale.

The Clerk was directed to make contact with The Forestry Commission to notify them of change of ownership and to request an inspection to confirm whether obligations have been met. Clerk to action this once the sale has completed.

- (ii) Review of Woodland Scheme information.

Previously circulated and reviewed.

- (iii) Review of Property Report and Addendum to Property Report.

Noted.

- (iv) Approval to transfer deposit of £19,000 to Parnalls Solicitors

It was unanimously resolved to approve transfer of deposit of £19,000 to Parnalls Solicitors. Proposed Cllr O'Sullivan. Seconded Cllr Edwards. Clerk to action when required.

- (v) Advance approval to transfer £171,000 outstanding figure to purchase Lot 1, Hele Valley Trail.

It was unanimously resolved to approve transfer of £171,000 to Parnalls Solicitors. Proposed Cllr O'Sullivan. Seconded Cllr Edwards. Clerk to action when required.

- (vi) Authority of Marhamchurch Parish Council that the Transfer Deeds to purchase Lot 1, Hele Valley Trail, Marhamchurch, be executed.

It was unanimously resolved to approve that the Transfer Deeds be executed. Proposed Cllr O'Sullivan. Seconded Cllr Perry.

Signed: _____ Chairman. /2025

- (vii) Advance approval to instruct two of the members of the Council, in the presence of the proper officer, to execute the Deeds and to sign Contract on behalf of Marhamchurch Parish Council.

It was unanimously agreed that Cllr O'Sullivan and Cllr Perry execute the Deeds on behalf of Marhamchurch Parish Council. Proposed Cllr Perry. Seconded Cllr Edwards.

It was unanimously agreed that Cllr Perry sign the Contract of Sale on behalf of Marhamchurch Parish Council. Proposed Cllr O'Sullivan. Seconded Cllr Biddick-Bray.

- (viii) Advance approval to pay outstanding Solicitors Fees and associated costs.

It was unanimously agreed to approve payment for Solicitors fees. Proposed Cllr Edwards. Seconded Cllr Polkinghorn.

- (ix) Review quotes for Signage costs and chose provider.

It was unanimously agreed to use Quote 1. Redsmart for printing and Quote 2. Bude Design Company for design and instalment. Proposed Cllr O'Sullivan. Seconded Cllr Perry.

- (x) Advance approval to pay invoice for Signage to agreed provider.
- (xi) Advance approval to pay invoice for printing costs for signage to agreed provider.

It was unanimously resolved to approve (x) and (xi) together. Proposed Cllr Perry. Seconded Cllr Edwards.

- (xii) Advance approval of any additional documents.

Not needed.

- (xiii) Any other matters relating to Hele Valley Trail.

Cllr O'Sullivan wished to have it noted that there has been little to no impact on the precept for this financial year for costs associated with The Hele Valley Trail, due to securing grant, fundraising and use of Community Infrastructure Levy Funds.

Cllr Perry extended his thanks to Cllr O'Sullivan for the time he put to assessing the legal & other documents in preparation for tonight's meeting.

Planning. 25/269

a) Decision Notices/Updates:

- (i) **PA24/08132** | Replacement of rear extensions with associated internal alterations | Old Rattenbury Farmhouse Marhamchurch. Approved with conditions. Noted by Cllrs.

b) Planning Applications/Appeals:

Any late planning applications received will be discussed but not decided under this section.

- (i) **PA25/08556** | Proposed extension to existing house. | 29 Pinch Hill Marhamchurch Bude.

Following a review of documents, it was unanimously agreed that the Parish Council had no objections to the application. Proposed Cllr Edwards Seconded Cllr Biddick-Bray.

Signed: _____ Chairman. /2025

- (ii) **PA25/08559** | Remove existing raised platform and construct new lean-to conservatory | Penbury Under Lane Marhamchurch.

Following a review of documents, it was unanimously agreed that the Parish Council had no objections to the application. Proposed Cllr Edwards Seconded Cllr Biddick-Bray.

**Approve purchase of new laptop (from Bude Computers) to meet Windows 11 requirements.
25/270**

Following a review of quotes sourced online as a comparison it was unanimously agreed to approve purchase of laptop up to value of £600 from Bude Computers, as they are able to assist with transfer of files etc and will transfer the recently purchase Virus software. Proposed Cllr Perry. Seconded Cllr O'Sullivan.

**Review quotes for website updates to meet Data & Compliance requirements and authorise advance payment to chosen provider.
25/271**

Clerk circulated quotes ahead of the meeting and following a discussion it was unanimously agreed to go with quote provide from local firm, WesternWeb, who have supported local parish Councils previously, and authorise any advance payment / deposit required. Proposed Cllr Biddick-Bray. Seconded Cllr Edwards.

**Urgent Matters raised with the Chairman since the Agenda was published.
25/272**

Cllr Perry flagged water in road by Bott and Stratton. He will raise issue with Cllr Chopak.

Cllr Perry mentioned Hedge cutting no signs were in place but he had spoken with the contractors to flag this concern.

Cllr O'Sullivan wished to propose a vote of thanks to the Grills Family for providing access to The Hele Valley Trail for the last 25 years. Cllr Perry seconded this, and added his thanks to Cllr O'Sullivan, Cllr Biddick-Bray and the Clerk for all their hard work on the project.

**Finance & Legislation.
25/273**

- a) Approval of payments of **£2417.03** as per schedule and PLUS payments of urgent accounts, as discussed and resolved in tonight's meeting.

It was resolved to approve payments. Proposed Cllr Edwards. Seconded Cllr Biddick-Bray. Unanimous.

**Date of next meeting and note items from Councillors for the Agenda.
25/274**

Next planned Parish Council meeting will be Tuesday 20th January.

Meeting closed at: 8:37pm

PUBLIC BODIES (ADMISSION TO MEETINGS) Act 1960 S1(2) & S1(6)

During the meeting it may arise that publicity would be prejudicial to the public interest by reason of the confidential or special nature of the business to be transacted and the press and public will be instructed to withdraw.

When this arises, the Chair will recommend to consider passing the following resolution: "to resolve that in view of the confidential or special nature of the business to be discussed, the public are excluded and instructed to withdraw."

Signed: _____ Chairman. /2025