

ROTHERFIELD PEPPARD PARISH COUNCIL

Minutes of Meeting held at The Sports Pavilion, Stoke Row Road, Rotherfield Peppard
on Monday June 11th 2012 at 7:30 pm

Present:	Chairman:	David Hammond	(DH)		
	Councillors:	Nick Launders	(NL)	LeeAnne Flett	(LF)
		Clive Mills	(CM)	Valerie Ross	(VR)
		Terry Ryan	(TR)	Hadley Cooper	(HC)
	Clerk:	Linda Collison	(LC)		
	Members of Public:	Kevin Browne		Craig Marks	
		Suzanne Bradley		Oriel Emmett	
		Eileen Elsten		William Penne	
		Andy Elsten		Merete Cox	
		Simon Crouch		Ronnie Brock	
		Jim Clarke			

Open Forum:

During Open Forum members of the public raised concerns regarding the initiative to install a Play Area in Rotherfield Peppard, particularly on the Sports Field. These concerns included, but not limited to:

- What is the legal position of installing a play area on the Sports Field?
- Will the car park be increased?
- Will there be fencing?
- The project has been conducted without “due process”
- Have health and safety aspects been addressed?
- What funding has been agreed so far?
- The project has become divisive in the village.
- The proposed location (ie the Sports Field) is dark and dangerous
- There has been insufficient feedback of information, no timelines/timetable of events
- The stall at the Revels was not good practice – giving sweets to children and champagne to adults – this will have an influence on the survey results.

TR responded stating that the initiative was “no where near a final proposal” and that initially the Sports Field appeared to be a good location, but Health and Safety concerns are an issue with this site. Alternative sites will be investigated again. TR advised that the next Play Area Working Group meeting was on Tuesday 12th June 2012 and that he would be able to give a fuller update to the Council at the next meeting on Monday July 9th 2012.

CM reminded the meeting that the working group were all volunteers and the project is still going through a consultation period.

DH thanks residents for sharing their concerns and confirmed that Council had not yet agreed on a play area nor a specific location. DH added that the comments would be taken on board and that he looked forward to receiving an update at the next meeting.

1) Apologies:

Apologies were received prior to meeting from Carol Viney (Oxfordshire County Councillor) and Parish

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Councillors Fiona Berry and Tony Cotton.

2) **Member's declaration of Personal and Prejudicial Interests:**

TR and CM declared prejudicial interest in agenda item, "Play Area Project".

DH advised that Personal and Prejudicial interest would be discussed later during "Representatives to Outside Bodies", later in the meeting.

3) **Minutes:**

It was MOVED by DH and RESOLVED unanimously that the minutes of the Full Council meeting held on Monday May 14th 2012 be signed as a true record of the meeting.

4) **South Oxfordshire District Council: (PH)**

- a) Icelandic Banks – Kaupthing, Singer and Friedlander.
SODC has received its eighth distribution of £263,127 on May 2nd 2012. This means that £1,920,829 has been received from the £2.6m (£2.5m plus interest) claim.
- b) Chinor By-Election
On Thursday 10th May 2012 Ms Lynn Lloyd (Conservative) won the Chinnor by-election.
- c) Dog Lane
PH has followed up on complaints from residents of Dog Lane regarding the failure to empty their waste bins. Since the complaint there have been no further issues.
- d) New Garden Waste Payments
All new requests for brown waste bins will need to be paid by direct debit. This is more cost-effective for SODC and will pass the cost savings onto those residents who have a brown bin as the service is "Cost Neutral" (ie The costs of having this service match money raised.)
- e) Deep Cleanse
So far the deep cleanse has taken place in Shiplake and on the Henley Fairmile. SODC are funding the deep clean so that they can monitor the Biffa/Verdant contract from a level playing field in the future.
- f) Rural Community Broadband Fund (RCBF)
Rotherfield Peppard may be eligible for the RCBF, a fund which provides up to 50% of total eligible costs (to a maximum of £300 grant per premise) to communities located in the 10% hard-to-reach areas who can demonstrate a local need and a demand for Superfast Broadband. PH explained that he heard at the Rotherfield Peppard APM that slow broadband was an issue in the Parish and gave the Council a copy of the RCBF Applicants Handbook.

5) **Chairman's report:**

- a) Peppard Revels.
DH thanks The Peppard Revels Committee for a very successful and enjoyable weekend of events.
- b) Error in letter to Mark Saunders dated 8th May 2012.
DH advised that the letter to Mr Saunders dated 8th May 2012 stated that the Council's Complaints Procedure "is specifically to consider complaints against Councillors concerning breaches in the Code of Conduct."

DH confirmed that this statement was in fact incorrect and that the Council's Complaints Procedure

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is to handle complaints against The Council and/or The Clerk. Complaints against Councillors concerning breaches in the Code of Conduct are dealt with by the Monitoring Officer at South Oxfordshire District Council.

Action LC to respond to Mr Saunders.

6) Clerks Report:

a) LC advised that Mr Saunders had also raised 2 other issues :

i) Mr Saunders alleges that Council's reponse (dated 8th May 2012) to his letter (dated 11th April 2012) was unacceptable and that RPPC has avoided his complaint.

LC advised that she was unclear as to whether Mr Saunders is making an official complaint at this time and the exact nature of this complaint(s).

It was AGREED that a Complaints Form should be introduced (Appendix 1), and the Complaints procedure amended accordingly.

Action: LC to ask Mr Saunders to complete the new Complaints Form for this matter and all future complaints against the Council or Clerk. LC to update Complaints Procedure.

ii) Mr Saunders alleges that Councillors are not correctly declaring their personal and prejudicial interests correctly when they are a representative on an outside body.

LC advised that she has sought advice on this matter from SLCC and item "Representatives to an Outside Body" had been included in the meeting to ensure that Councillors understood correct practice in this situation.

LC advised she would repond to Mr Saunders on this matter confirming Council's actions.

b) Training Courses

LC advised that she had attended part 1 of Working with your Council (WWYC) Course on Wednesday 23rd May, part 2 is on Wednesday 27th June 2012. LC also advised that she will also be attending the General Power of Competence training course on Tuesday 19th June 2012

c) Meetings in June

(1) SLCC Branch Meeting (for Clerks) on Tuesday 12th June 2012

(2) OALC AGM (for Clerks and Councillors) on Monday 25th June 2012. LC and FB have confirmed they will attend.

d) Electricity Supplier

LC advised that British Gas was now the electricity supplier for the Sports Pavilion and that the £100 credit note would be awarded and new meters installed during August/September. In the mean time charges were being made on estimates.

7) Standing Orders:

It was PROPOSED by NL, SECONDED by LF and RESOLVED unanimously to accept the revised Standing Orders, which were dated and signed by DH.

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8) **Financial Regulations:**

It was PROPOSED by LF, SECONDED by CM and RESOLVED unanimously to accept the revised Financial Regulations, which were dated and signed by DH.

9) **Code of Conduct 2012:**

It was PROPOSED by TR, SECONDED by CM and unanimously AGREED that:

“The code of conduct adopted by the South Oxfordshire District Council be adopted as the code for members and co-opted members of the Rotherfield Peppard Parish Council with effect from 1 July 2012, or such other date as may be specified in regulations, to replace the current code of conduct”

The Clerk (LC) was requested to notify the monitoring officer of the South Oxfordshire District Council of the passing of the above resolution.

CM raised concern that the footnote at the bottom of page 4 says:

A “co-opted member” for the purpose of this code is, as defined in the Localism Act section 27 (4) “a person who is not a member of the council but who:

- a) is a member of any committee or sub-committee of the council, or
- b) is a member of, and represents the council on, any joint committee or joint sub-committee of the council;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub committee”.

It was agreed that LC would verify that the co-opted members had the same voting rights as an elected members and that new Code of Conduct applied to all Rotherfield Peppard Parish Councillors whether elected or co-opted. It was AGREED that the acceptance form would not be submitted until this was confirmed.

NL reminded Councillors that it will be a criminal offence to break the new Code of Conduct.

10) **Representatives to Outside Bodies**

DH advised that Mr Saunders concern has been raised that Council members who are Representatives to Outside Bodies have not been declaring their personal or prejudicial interests correctly when these subjects are discussed.

LC confirmed she had previously circulated documentation clarifying the rules and advised that:

- a) Prejudicial Interest is not (necessarily) financial. A useful guide is:
”Would a member of the public, with knowledge of the relevant facts, reasonably regard your personal interest to be so significant that it is likely to prejudice your judgment of the public interest.”
- b) All members who are Representatives to Outside Bodies will always have (at minimum) a personal interest when that outside body is being discussed.

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- c) Where members also sit on the Committee (for example) of that Outside Body, their interest will almost certainly be prejudicial.

Action: LC would explain to Mr Saunders of action taken.

11) Diamond Jubilee

NL advised that Tom Cox, Slaters Cottage, had offered to rebuild the notice board outside his house free of charge for the Council.

It was AGREED to accept Mr Cox very kind offer, provided the new notice board was "like-for-like" and in keeping with the local surroundings.

NL advised that 4 notice board companies had been considered regarding a Diamond Jubilee Celebration notice board and confirmed that notice boards could be purchased from any price from £500 to £2000 upwards.

NL proposed that:

£500 be spent on a glass fronted Jubilee Celebration notice board to be placed on the front side of the bus shelter near the Unicorn Public House, and used specifically for Council Business.

A further £500 be spent on a matching but non-glass fronted notice board, replacing the notice board on the other front side of the bus shelter, and used specifically for village notices.

LC to ask Mr Cox if the company building the new notice board outside Slaters Cottage would be prepared to quote for building the new notice boards for the bus shelter near The Unicorn Public House.

The proposal was SECONDED by CM and APPROVED by Council.

It was further AGREED that this new glass fronted notice board should be the RPPC official notice board, and all other notice boards have a note displayed to that effect. Action LC.

12) Village Signage

DH proposed, and it was unanimously AGREED, that an Illegal Signage letter (Appendix 2) should be introduced and delivered to the owners of the complained about signs. If no response is received by the following Parish Council Meeting, the matter could either escalate to SODC or RPPC use the powers it has to remove the sign.

It was agreed that the letter should be sent to the owners of the following signs which have been escalated to the Council by a resident. Action LC.

Red Lion A-board - in the middle of the Common

Ruchetta A-Boards - outside the restaurant

Greys Green Golf signs - outside Ruchetta Restaurant.

Studio Gallery sign - outside entrance to Manor Farm

Peppard Garage sign - also outside Ruchetta

Adams Taxis sign – also outside entrance to Manor Farm

LC was also asked to investigate the legality of the large "Greys Green Golf Course" sign just inside the Golf Course.

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13) Community Survey Projects

DH advised that in addition to the Play Area project, there were 3 further initiatives resulting from the Community Survey:

- i) Roads and Speeding
- ii) Footpaths
- iii) Neighbourhood Watch

DH asked Council to consider RPPC's role and responsibility with regard to all four initiatives, and to consider the need for each group to have a Terms of Reference or Template

LC advised that there was £600 in the 2012-13 budget for "Costs for activities resulting from Parish Plan"

It was AGREED that this should be discussed with Tony Cotton (RPPC Councillor and Chair of Community Survey Committee) and that LC would investigate a possible project Template to be used. LC to add to next month's agenda.

14) Play Area Project

TR advised Council that there had been a very useful Residents meeting on Wednesday 23rd May 2012, and that the next Working group meeting was (tomorrow) on Tuesday 12th June 2012. TR advised that there would be a fuller update to Council at the meeting on Monday 9th July 2012, ie after the Working Group meeting.

TR apologised for the following retrospective request for funds.

TR explained that to achieve an SODC grant, there has to be a consultation with the residents and the working group felt that a Play Area stall at the Revels weekend was an optimum opportunity for consulting with the residents, especially children under 8 years who were not included in the Community Survey. The working group distributed "fliers" advertising the stall in Peppard News.

The cost for this is £100 in total (£50 to print and £50 to distribute) and their decision to proceed could not wait until this June meeting as the Revels weekend was 4-6 June 2012.

CM and TR left the meeting.

After a lengthy discussion, it was AGREED that RPPC should pay the cost in this instance.

CM and TR returned to the meeting

15) Approval of Spend and Cheques to be signed

It was MOVED by LF, SECONDED by VR and RESOLVED unanimously that the following items were approved for payment and that TR and NL were instructed to sign the cheques.

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Payee	Description	S137 ?	£	Date Spend Approved	RPPC or Charity cost
A Parisi	Wages	<i>no</i>	Confidential	June 2012	RPPC
M Bowles	Wages	<i>no</i>	Confidential	June 2012	Charity
L Collison	Claim	<i>no</i>	£78.17	June 2012	RPPC
SODC	Bin emptying	<i>no</i>	£48.79	June 2012	RPPC/Charity

16) Correspondence

LC advised that all email correspondence had been circulated.

Non email correspondence received was: (next page)

- ORCC: Community transport and green transport in your parish: New funds are available to support community transport.
- Sarah Hadland: Butterflies / Carlings Orchard (previously emailed out)
- Brian Willis:
 - Insurance form (Public Liability)
 - Carlings Orchard Grass Cutting quote for year (£900 + £350)
 - Quote for new gate (£625)
- All Saints Church: thank you letter for donation
- Chiltern News magazine (June 2012)
- CPRE: Oxfordshire bulletin
- Chiltern Society: confirmation of 2012-13 subscription (approved in April council meeting)
- Thames Valley and Chiltern Air Ambulance: Grant request.

17) Matters arising for next meeting

Play Area

Notice Board update.

Community Survey – role of RPPC and template

18) Cheque Signing

NL and TR signed prepared cheques as instructed.

Meeting ended at 9:45 pm

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Appendix 1 : Complaints Form

This form is to be used for complaints about the Proper Officer (ie the clerk) or the Council:

Complaints about the Proper Officer of the council (i.e. the clerk) will be dealt with internally as an employment matter. In this case please forward completed form (below) to the Chairman (details on web rppc.org.uk)

Complaints about the Council, its the administration or its procedures will be addressed in a Council meeting following the procedure detailed in Complaints Procedure document. In this case please forward completed form (below) to the Clerk (details on web rppc.org.uk)

Note: Complaints about an individual councillor should be made to the Parish Council's Monitoring Officer at South Oxfordshire District Council: Margaret Reed, Head of Legal and Democratic Services, South Oxfordshire District Council, Benson Lane, Crowmarsh Gifford, Wallingford, OX10 8QS

Complaint is regarding (please circle)	Clerk	Council
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Summary of Complaint:

Complainant Name	
Complainant Address	
Complainant Telephone number	
Complainant Email address	

Please enter any additional information in box below
--

Signed

Date.....

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Appendix 2 : Complaints Form

To:

Unauthorised signs on the highway and powers to remove them

The Parish Council and Oxfordshire County Council are concerned to maintain the attractiveness of the Chilterns and to ensure that unauthorised signs along the highway do not detract from this.

It is an offence to place on the highway any goods or signs which cause an obstruction or include commercial advertising

The Parish Council has received a complaint that you have a sign on highway land at *[include description]*. The Council does not believe that this sign has deemed consent under the regulations, nor do we believe that planning consent has been granted for this sign.

The Parish Council invites you to respond within two weeks either

- to justify why the sign is legal
- to confirm that you are applying for planning permission to retain the sign

or

- to confirm that you have removed the sign.

If no response is received, the Parish Council may use its powers delegated from Oxfordshire County Council to remove the sign or apply for a Planning Enforcement order from South Oxfordshire District Council.

We appreciate your co-operation in this matter.

Yours sincerely

Linda Collison,
Parish Clerk, Rotherfield Peppard Parish Council,
7 Grange Avenue, Rotherfield Peppard, Oxon RG9 5JP,
Email : clerk@rppc.org.uk Tel : 01491 629676

Date:

Guidance on Commercial Advertising

Guidance on all aspects of commercial advertising is available in the Government Publication "Outdoor Advertising and Signs: A Guide for Advertisers". This is available on-line at:

<http://www.communities.gov.uk/publications/planningandbuilding/outdooradvertisements>

In the recent Rotherfield Peppard Community Survey, residents were asked whether the Parish Council should take action against advertising notices illegally posted at the side of the road. The responses showed a clear majority in

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favour of the Council taking action with only 32% against or unsure.

Yes - <i>always</i>	216 (24%)
Yes - <i>but take a supportive view of local charities</i>	377 (42%)
No - <i>local businesses should be allowed to advertise to get custom</i>	207 (23%)
Not sure.....	83 (9%)

The Highways Act 1980

The Highways Act 1980 states amongst other things that the Highway Authority, Oxfordshire County Council, may remove any picture, letter, sign or other mark which has, without consent or authorisation or an enactment, been painted or inscribed or fixed on the highway or on any tree, structure or works on or in the highway.

The term 'highway' includes any carriageway, footway, cycle track, verge, lay-by or other land between the highway boundaries (usually marked by a ditch, hedge, wall or boundary marker). The term 'road' means a highway or any other road to which the public has access.

Powers to remove signs

Oxfordshire County Council has powers to remove unauthorised signs. This power has been delegated to the Parish Council.

Further information

For further information, go to the Oxfordshire County Council Website (www.oxfordshire.gov.uk), go to "Council Services", "Roads and Transport", "Highways and Maintenance", "Unauthorised signs on the highway and the power to remove them" or contact The Clerk to the Parish Council.

Relevant legislation

The Highways Act 1980

- Section 130 - removal of any items under the general duty to keep highways obstruction-free does not provide for the recovery of costs.
- Section 132 - deals with any picture, letter, sign or other mark that is painted, inscribed or fixed on the surface of any highway or on any tree, structure or works on or in the highway. It allows for an offender to be taken to court and fined and/or made to pay the cost to the Highway Authority (or its agent) of removing the offending item.
- Section 143 - deals with any structure put up or set up on a highway without authority. It allows the relevant authority to issue a notice ordering the removal of the structure and, if the notice expires without any action, allows the authority itself to remove the structure.

Town and Country Planning Act 1990

Section 224 – deals with removal of advertisements and penalties for contravening regulations.

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Appendix 3 : 2012/13 Accounts as at May 31st 2012

RECEIPTS		2012/13	
		Forecasted Receipt	Actuals
Precept		£ 22,547.00	£ 11,273.50
RPPC Receipts	Nat West interest (deposit)	£ 5.00	£ -
	Investments / Treasury Stock / Interest	£ 30.00	£ -
	TOTAL	£ 35.00	£ -
Charity Receipts	Fees / Hire charge	£ 1,000.00	£ 45.00
	Utility refunds from sports clubs	£ 510.00	£ -
	Other	£ 25.00	£ -
	TOTAL	£ 1,535.00	£ 45.00
Total Receipts :		£ 24,117.00	£ 11,318.50
VAT Reimbursement			£ 1,238.32
RECEIPTS TOTAL including VAT		£ 24,117.00	£ 12,556.82
SPEND		2012/13	
		Forecasted Spend (budget)	Actuals detailed
Wages, Pension and NI	RPPC	XXXXXX	XXXX
	Charity (Grant)	XXXX	XXXX
Wages, Pension and NI	TOTAL	£ 10,137.00	£ 311.30
Office Rental		£ 240.00	£ 26.00
Phone		£ 240.00	£ 35.33
Postage		£ 85.00	£ -
Office Supplies	Stationery	£ 250.00	£ 20.67
	Web & IT Costs	£ 85.00	£ -
	Software	£ 250.00	£ -
Pavillion Hire for meetings		£ 280.00	£ -
Office/Admin	TOTAL	£ 1,430.00	£ 82.00
Assets		£ -	£ -
Audit and accountancy		£ 585.00	£ 60.00
General maintenance		£ 50.00	£ -
General RPPC	TOTAL	£ 50.00	£ -

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Appendix 3 : 2012/13 Accounts as at May 31st 2012

SPEND continued		2012/13	
		Forecasted Spend (budget)	Actuals detailed
Clerk/Councillor exps	Chairman's Allowance	£ 200.00	£ -
	Members Allowances	£ 960.00	£ -
	Training	£ 400.00	£ 165.00
	Books and documentation	£ 100.00	£ -
	Travel	£ 440.00	£ 45.00
Clerk/Councillor exps	TOTAL	£ 2,100.00	£ 210.00
Carlings Orchard Maintenance		£ 2,250.00	£ -
Insurance	RPPC	£ 500.00	£ 370.06
	Charity (Grant)	£ 500.00	£ 370.06
Insurance	TOTAL	£ 1,000.00	£ 740.12
Footpaths & Open Spaces		£ 500.00	£ -
Dog Bin Emptying	RPPC	£ 90.00	£ -
	Charity	£ 90.00	£ -
Dog Bins	TOTAL	£ 180.00	£ -
Costs for activities resulting from Parish Plan		£ 600.00	£ -
Parish Plan (** see below)		£ 600.00	£ -
General Reserve A/c ("Misc")	Various	£ 550.00	£ 125.00
	APM : Hire Peppard WMH	£ 80.00	£ -
	APM : Printing	£ 75.00	£ 71.62
	Diamond Jubilee recognition	£ -	£ -
Misc	TOTAL	£ 705.00	£ 196.62
Charity	Maintenance	£ -	£ 3,824.00
	Cleaning Materials (Grant)	£ 30.00	£ -
	Electricity (Grant)	£ 1,200.00	£ 819.02
	Water (Grant)	£ 120.00	£ -
Charity	TOTAL	£ 1,350.00	£ 4,643.02

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Appendix 3 : 2012/13 Accounts at May 31st 2012

SPEND continued		2012/13	
		Forecasted Spend (budget)	Actuals detailed
	Other		£ -
	Society of Local Clerks	£ 105.00	£ -
	OALC	£ 255.00	£ -
Subscriptions	ORCC	£ 30.00	£ 30.00
	Chilterns Society	£ 25.00	£ -
	CPRE	£ 30.00	£ -
	OPFA	£ 35.00	£ -
Subscriptions	TOTAL	£ 480.00	£ 30.00
	Peppard News	£ 250.00	£ 435.00
Donations, Gifts and Contributions	Peppard Church Maintenance	£ 1,000.00	£ 1,000.00
	Peppard War Memorial Hall	£ -	£ -
	NDCC	£ -	£ 250.00
	Other	£ 1,500.00	£ -
Donations Contributions	TOTAL	£ 2,750.00	£ 1,685.00
SPEND TOTAL		£ 24,117.00	£ 7,958.06
VAT			£ 853.55
SPEND TOTAL including VAT			£ 8,811.61