

HOLME VALLEY PARISH COUNCIL (GRAVESHIP OF HOLME) LAND CHARITY

MINUTES OF THE CHARITY COMMITTEE HELD ON WEDNESDAY 07 OCTOBER 2009

Those present :

Chairman : Cllr C M Kaye

Councillors : Cllr Mrs R Bratt, Cllr G Cropper, Cllr B A Smith

Officers : Mrs S S Barber, Mrs M A Bewick

To accept apologies for absence

Apologies for absence were accepted from Cllrs Dearnley and Robinson.

09 35 To consider whether items on the agenda should be discussed in private session

RESOLVED: That items 6 (To consider action in relation to specific sites), 7 (Action Plan) and 8 (Administrative Matters) be discussed in private session, on the grounds that the matters to be considered are of a confidential nature.

09 36 To receive Members' declarations of interest in items on the agenda

None were given.

09 37 To confirm the Minutes of the Previous Meeting

RESOLVED: That the Minutes of the Meeting held on 9 September 2009 numbered 09 25 - 09 34 inclusive be confirmed.

09 38 Correspondence arising from the Minutes

The Clerk to the Council clarified a number of matters relating to the temporary contract for the Officer to the Charity (Minute number 09 30(5)(ii) refers). Members also noted that the Officer to the Charity would be working at the Council Offices, specifically on Charity matters, on Monday mornings, from 11am to 1pm, as well as Wednesday afternoons 3pm to 5pm on dates when a Charity Committee meeting was due to be held.

The Clerk to the Council then left the meeting.

09 39 Exclusion of Public and Press

RESOLVED: That the business of this Committee now to be transacted be not open to the public or press on the grounds that the matters to be considered are of a confidential nature.

09 40 To consider action in relation to specific sites

(1) Cowcliff Hill Road, Strines Moor - Minute numbers 09 06(4) and 09 30 refer: The Chairman of the Committee reported on the meeting held with solicitors acting on behalf of the Council on 15 September 2009, and the subsequent site visit on the same day by the Clerk to the Council and Officer to the Charity.

RESOLVED: (a) That the further action taken by the solicitors regarding registered title be noted.

(b) That the payment of an invoice submitted by the solicitors (Minute number 09 05 refers) be approved and the Clerk to the Council to be asked to make the appropriate transfer of funds.

(c) That the information gathered by Members on the fact finding exercise relating to past use/users of the site be noted and forwarded to the Council's solicitors, who should be asked to submit a counterclaim to the Land Registry by the due date.

(d) That the Officer to the Charity should seek details of total costs incurred to date and discuss with the solicitor the possibility of arranging a future meeting between Members of the Charity Committee and the claimant.

(e) That the Officer be asked to provide details of receipts and payments of account, on a six-monthly basis, to aid the Charity budgeting process.

(2) Wellhouses:

(a) Members noted the correspondence received from the Land Registry regarding an error made by them in respect of part of this registered title.

RESOLVED: (i) That the Officer should write to the Land Registry to confirm that the Council accepts the error made by the Land Registry, and that they should be asked to issue a correct title deed, at their cost, as soon as possible.

(ii) That the Officer should write to the person who had lodged the application with the Land Registry, to inform them that the Council had no objection to the application.

(iii) That the Officer and Clerk to the Council be asked to research the past use/tenancy arrangements relating to the Council's actual title of this particular part of the Wellhouses site, to enable the Charity Committee to consider whether any negotiations with the former tenant would be beneficial to the Charity in the future.

b) Members noted the correspondence from the current tenant of an area on this site, expressing an interest to purchase the site.

RESOLVED: That the Officer should write to the tenant to advise that the Council (as Trustee) is still considering the future of all sites, but will contact him again in due course, to commence negotiations.

(3) Cliff: Members noted the email from the son of the former tenant and that formal notice to quit the site had now been received.

RESOLVED: (a) That the above be noted and that the Officer should acknowledge the email.

(b) That the Officer be asked to provide full details of the specific tenancies and issues relating to this site, to be considered at the next Charity Committee meeting.

(4) Hollingreave: Members noted the further correspondence from Kirklees Highway Services regarding the wall repair works, and the Kirklees Officer's offer to meet with Members of the Charity Committee once the repair works are nearing completion.

RESOLVED: That the Officer to the Charity should contact Kirklees Highway Services to accept the offer of regular, fortnightly progress reports and the potential for a meeting with Members in due course.

(5) Chapelgate, Scholes: Members noted the concerns expressed by Playgroup representatives about ongoing encroachments at this site and the Playgroup's wish to extend its outdoor play area.

RESOLVED: That the Officer to the Charity should write to the Pre-school Leader, to inform her that the Charity Committee is currently reviewing this site, but will arrange a further site visit/meeting with the Playgroup in due course.

09 41 Action Plan

(1) First auction of sites: The Officer to the Charity reported that the date of 1 December 2009 had been proposed by the Auctioneer, after liaising with the Solicitor appointed by the Council (as Trustee), to hold the auction of 14 plots (on 13 Titles). Copies of all plans, tenancy and user details had been provided to the Auctioneer and Solicitor, and the Auctioneer was now producing draft sales particulars, for subsequent approval by the Council (as Trustee).

RESOLVED: That 1 December 2009 be approved as the date for the auction.

(2) Future use of other sites held by the Charity: Members considered further actions relating to other sites held by the Charity, including setting or revising priorities for further actions required regarding unauthorised use and encroachments at a number of sites, communications with current and past tenants, and other interested parties.

RESOLVED: (a) That the content of a letter, produced by the Officer to the Charity, be approved and sent to the previous tenants of sites included on the first auction list, to inform them about the auction (Minute number 09 33(1)(iii) refers).

(b) That the Action Plan be updated for further consideration at the next Charity Committee meeting.

09 42 Administrative Matters

RESOLVED: That the payment of additional hours worked in September 2009 by the Officer to the Charity be approved.

09 43 Freedom of Information Act 2000 - to agree what information will be made available to the public

RESOLVED: That, under the Council's Publication Scheme, supporting papers for any item within the public session of the meeting be made available, if requested, after confirmation of the Minutes by the full Council (as Trustee).

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Chairman