

## HOLME VALLEY PARISH COUNCIL (GRAVESHIP OF HOLME) LAND CHARITY

### MINUTES OF THE CHARITY COMMITTEE HELD ON WEDNESDAY 09 SEPTEMBER 2009

Those present :

Chairman : Cllr C M Kaye

Vice-Chairman : Cllr P Robinson

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

Officers : Mrs S S Barber, Mrs M A Bewick

#### **To accept apologies for absence**

None were given.

#### **09 25 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 26 To receive Members' declarations of interest in items on the agenda**

None were given.

#### **09 27 To confirm the Minutes of the Previous Meeting**

RESOLVED: That the Minutes of the Meeting held on 8 July 2009 numbered 09 17 - 09 24 inclusive be confirmed.

#### **09 28 To note Minutes of the Meeting of Council as Trustee**

RESOLVED: That the Minutes of the Meeting held on 3 August 2009, numbered 09 01 - 09 07 inclusive, be noted.

#### **09 29 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 30 Administrative Matters**

It was proposed and seconded that item 8(5)(i), 8(5)(ii) and 8(6) on the Agenda be taken first in priority order, to allow the Clerk to the Council to address Members. This was so RESOLVED.

(5)(i) Payment of Officer's hours: Members noted the hours worked by the Officer to the Charity in July and August 2009, and that the Officer had now completed the three months' trial period (Minute number 09 07(4) refers).

RESOLVED: That the payment of additional hours worked in July and August 2009 be approved.

(ii) Officer time spent on Charity administration: Members considered the time spent on Charity administration, following completion of a three months' trial period, to gauge the level of administrative support required. It was agreed that up to 4 hours per week would be required, at least until the end of the financial year, and that a more formal temporary contract should be put in place in recognition of this commitment by the Officer to the Charity. Members accepted that such a temporary contract had contractual implications including pension liability.

RESOLVED: (a) That the Clerk be authorised to set up a temporary contract for the Officer to the Charity, to work 4 hours per week, with effect from 1 September 2009 to the end of March 2010.

(b) That the temporary contract should be reviewed at the end of December 2009, to allow flexibility of working hours, depending on workloads demanded of the Charity Committee and the Officer's time available.

It was further RESOLVED that the Officer to the Charity should be responsible for the production and signing of any future correspondence, agendas and minutes on behalf of the Council (as Trustee), instead of the Clerk.

(6) Interest expressed by Councillor re serving on Committee: Members noted the interest expressed by a Councillor but, as no specific vacancy existed at the moment, full Council would need to approve his joining the Committee. Instead, Members could consider co-opting the Councillor to the Committee due to his relevant experience, at an appropriate point.

RESOLVED: That the Councillor should be invited to the next Committee Meeting as an observer.

The Clerk to the Council then left the meeting.

### **09 31 To consider action in relation to specific sites**

(1) Cowcliff Hill Road, Strines Moor - Minute number 09 06(4) refers: Members noted the action taken by the solicitor acting on behalf of the Council regarding the registered title of this site. Members agreed on issues to discuss at a forthcoming meeting with the solicitor and approved the content of a further letter to be sent to Harrison, Townend & Ormeshers Solicitors.

RESOLVED: (i) That the Officer to the Charity should confirm the meeting with the solicitor acting on behalf of the Council and make the necessary arrangements for Members of the Committee to be present.

(ii) That the content of a letter, to be sent by the solicitor acting on behalf of the Council to Harrison, Townend & Ormeshers Solicitors, be approved and that the Officer to the Charity should instruct the solicitor to send the letter.

(2) Chippings Dump, Scholes: The Officer to the Charity reported on the essential tree branch clearance work carried out recently by YEDL, at no cost to the Council.

RESOLVED: That the actions of the Officer to the Charity be approved.

(3) Cliff: Members noted the receipt of an email from BMC. It was agreed that the BMC should be advised that this site had been designated as being a 'complex' site, where further consideration was required.

RESOLVED: (i) That, subject to one amendment, the Action Plan as approved by the Council (as Trustee) should be uploaded to the Council's website.

(ii) That the Officer to the Charity should respond to the BMC to the above effect and to advise that the Council (as Trustee) will contact the BMC again in due course, to invite representatives to meet with Members of the Charity Committee for further discussions.

(4) Hollingreave: Members considered the request by Kirklees Highway Services to park work vehicles, equipment and materials on this site, whilst repairs are being carried out to an adjacent wall.

RESOLVED: That the Officer to the Charity should contact Kirklees Highway Services to give authorisation for parking, for a maximum period of 27 weeks.

### **09 32 Action Plan**

Members considered further actions relating to future use of sites held by the Charity, including setting priorities for further actions required regarding unauthorised use and encroachments at a number of sites, the pursual of back-rents and communications with current and past tenants, and other interested parties.

RESOLVED: That the Action Plan be updated for further consideration at the next Charity Committee meeting.

### **09 33 Administrative Matters**

(1) Tenancies:

(i) Members noted that tenancy agreements on behalf of the Land Charity had been sent out to all former tenants of the Council of sites not on the first auction list.

(ii) The Officer to the Charity reported that a number of tenancies had been renewed. Members noted that one former tenant had confirmed that they no longer wished to renew their tenancy; an interested party would therefore be contacted with a view to taking over the tenancy, for one year only (from 1 April 2009 to 31 March 2010), at the same fee as last year.

(iii) Members agreed that where formerly tenanted sites were to be included in the first auction, the former tenants should be contacted to inform them as such.

RESOLVED: That the above be noted and where previously tenanted sites are to be included on the first auction list, the Officer to the Charity should write to the former tenants to inform them about the auction, as a matter of courtesy.

(2) Land Registry: Members noted that the majority of registration transfers had now been completed and that further investigations were being carried out by the Officer to the Charity on a number of outstanding matters.

RESOLVED: That the above be noted.

(3) Potential advisers:

(i) Planning consultants: Members noted formal, written quotations received for planning consultancy services, one from the consultant now appointed, who should be asked to proceed with a number of site visits and production of a written report on his findings.

RESOLVED: (a) That the Officer to the Charity should acknowledge receipt of the further information from the consultant who had not been appointed, thanking him for his time and information provided.

(b) That the Officer to the Charity should contact the appointed consultant, to authorise him to proceed with his report, to be submitted to the charity Committee before the end of October 2009.

(ii) Auctioneers: Members considered quotations from a number of auctioneers.

RESOLVED: (a) That Wm Sykes & Sons be appointed as Auctioneers to the Charity and authorised to make the necessary arrangements to hold an auction of 13 Titles (14 plots).

(b) That the Officer to the Charity should liaise with the auctioneer regarding potential dates to hold the auction, the provision of plans and tenancy details, and the setting of appropriate reserves. As recommended by the auctioneer, any costs to be borne by the purchaser.

(c) That the additional quotation from Wm Sykes & Sons for valuation services be noted and filed for future reference, in a case a valuation is required in the future.

(iii) Legal advisers: Members considered further information supplied by one of the Solicitors, to enable like-for-like costs to be compared.

RESOLVED: That Ramsdens & Co Solicitors be appointed as Solicitors to the Charity, to act on behalf of the Council (as Trustee) on the first auction sale and any future issues where the Council's previous solicitors had not already been involved.

(4) Insurance requirements: Members noted that, although the Council (as Trustee) now required its own insurance cover, the Council's insurers would continue to provide such cover until the Council (as Trustee) could seek formal quotations and make its own arrangements for insurance. It was hoped that any increase in cost to the Council (as Trustee) would result in a reduction in cost to the Council and, therefore, the overall insurance cost would not change for the current year.

RESOLVED: That the Officer be authorised to make the necessary insurance arrangements for the Council (as Trustee).

#### **09 34 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**