

# Holme Valley Land Charity

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

### MINUTES OF THE CHARITY COMMITTEE HELD ON WEDNESDAY 14 APRIL 2010

Those present :

Chairman : Cllr C M Kaye  
Vice-Chairman : Cllr P Robinson  
Councillors : Cllr G Cropper, Cllr B A Smith

Officers : Mrs S S Barber

#### **09 100 To accept apologies for absence**

An apology for absence was received from Cllr Mrs R Bratt.

Cllrs T Bellamy and C R Greaves were in attendance as observers.

Mr R P Dixon, representing the appointed advisers, Wm Sykes & Son, was in attendance to address Members on item 4 on the Agenda, regarding negotiations with Yorkshire Water and other third parties.

No members of the public or press were present.

#### **09 101 To consider whether items on the agenda should be discussed in private session**

It was agreed that items 4 (Advisers), 6 (Correspondence arising from the Minutes), 8 (Administrative Matters) and 9 (Action Plan) be discussed in private, on the grounds that the matters to be considered are of a confidential nature.

#### **09 102 To receive Members' declarations of interest in items on the agenda**

None were given.

#### **09 103 Exclusion of Public and Press**

RESOLVED: That the business of the Charity 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.

#### **09 104 Advisers**

Mr R P Dixon of Wm Sykes & Son reported on negotiations with Yorkshire Water on a number of sites and Members noted an offer made by them regarding one particular site. It was agreed that the Officer would supply copies of previous correspondence with Yorkshire Water to Wm Sykes & Son, for them to continue their negotiations.

RESOLVED: (1) That the Officer be authorised to provide copy correspondence to Wm Sykes & Son, to enable negotiations to continue.

(2) That Mr Dixon should be authorised to continue with his negotiations with Yorkshire Water and to report back to a future Charity Committee meeting.

In respect of Minute No. 09 58(7) and 09 75, Mr Dixon reported on further negotiations with Solicitors on behalf of their client relating to an encroachment issue. Members noted and accepted the Adviser's opinion of value and accepted a formal offer made by the Solicitors, to exclude both costs and an additional area of land.

RESOLVED: (1) That Wm Sykes & Son's actions regarding the sale of the encroached land be approved; Wm Sykes & Son to contact the Solicitors to accept the offer, at the amount agreed excluding both costs and an additional area of land, and to make the necessary arrangements, assisted by a Draughtsperson and the Appointed Solicitor, to conclude the sale.

(2) That the Officer should arrange for a Deed Plan to be produced, showing the agreed boundaries of the area to be sold.

(3) That the Officer be authorised to instruct the Appointed Solicitor to arrange the sale.

Mr Dixon was thanked for his attendance and the information provided, and left the meeting.

**09 105 Re-admittance of Public and Press**

RESOLVED: That the public and press be re-admitted to the meeting.

**09 106 To confirm the Minutes of the Previous Meeting**

RESOLVED: That the Minutes of the meeting held on 24 February 2010 numbered 09 80 - 09 90 inclusive, and the Minutes of the meeting held on 3 March 2010 numbered 09 91 - 09 99 inclusive, be confirmed.

**09 107 Exclusion of Public and Press**

RESOLVED: That the business of the Charity 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.

**09 108 Correspondence arising from the Minutes**

Minute No. 09 90 refers: Members noted further correspondence received from a resident, relating to a site sold at the first auction.

RESOLVED: (1) That the Officer's actions to acknowledge the correspondence be approved.  
(2) That the Charity Committee should seek legal advice from the Appointed Solicitor, before responding more fully to the resident.

Minute No. 09 95 refers: The Officer had investigated the provision of alternative local, long term secure archive storage for a number of original Title documents retrieved from archive in Leeds. The Appointed Solicitors was able to provide such local provision, for a fee payable whenever the documents are retrieved.

RESOLVED: That the Officer be authorised to arrange secure storage through the Appointed Solicitors.

**09 109 Re-admittance of Public and Press**

RESOLVED: That the public and press be re-admitted to the meeting.

**09 110 To note Minutes of the Meeting of Council as Trustee**

RESOLVED: That the Minutes of the meeting held on 15 February 2010 numbered 09 32 - 09 41 inclusive be noted.

**09 111 Exclusion of Public and Press**

RESOLVED: That the business of the Charity 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.

**09 112 Administrative Matters**

(1) Temporary investment of income (deferred from last meeting): The Officer reported on a number of potential accounts and the interest rates currently paid.

RESOLVED: That the Officer should be authorised to arrange the investment of £20,000 for 3 months in an account specifically intended for Charitable Organisations.

(2) Officer time spent on Charity administration: The Officer reported on past and anticipated workload demands, and potential arrangements intended to aid communications and effectiveness of administrative support. Members agreed that the Officer's time should be increased to cope with potential workload demands; they also agreed to the proposals regarding administrative arrangements and that a new temporary contract should be put in place from 1 April 2010, to be reviewed every three months.

RESOLVED: (i) That the Officer's proposals regarding administrative arrangements be recommended to the Council as Trustee for approval.

(ii) That a new temporary contract be put in place from 1 April 2010, to be reviewed in three months' time.

To help the Officer in the administrative role to the Land Charity, it was agreed that she should attend

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a training course in York on 6 July 2010; the Chairman of the Charity Committee would accompany her.

RESOLVED: (iii) That the attendance of the Officer and Chairman of the Charity Committee on the training course be approved.

(iv) That the Officer be authorised to make the necessary booking arrangements.

(3) Insurance: Members noted the actions taken by the Officer and Clerk to the Council (in the Officer's absence on holiday) regarding insurance arrangements which were now in place from 1 April 2010.

RESOLVED: That the actions of the Clerk to the Council and Officer regarding insurance provision be approved.

(4) VAT: Members noted the request for further information from HM Revenue & Customs regarding the recent VAT registration application. Members reconsidered the benefits of registration and agreed that the application should not proceed for the time being.

RESOLVED: That the Officer should write to HM Revenue & Customs to inform them that the Land Charity has decided not to register at this stage.

### **09 113 Action Plan**

(1) Dean Head Moss, Holme (otherwise known as Strines Moor): Members noted correspondence from the Appointed Solicitors, Ramsdens Solicitors, regarding correspondence received by them from the Land Registry.

RESOLVED: That the above be noted and the Officer to write to Ramsdens to thank them for the information.

(2) Strines Moor: Members considered two items of correspondence from Harrison, Townend & Ormeshers Solicitors, acting on behalf of their client.

RESOLVED: That Cllr Cropper be authorised to draft a response, to be circulated to the Officer and Members of the Charity Committee for comment, before being sent to the Solicitors and their Client.

(3) Cliff - Open meeting - 20 April 2010: Members considered the arrangements for the public meeting to be held at Wooldale Community Centre. A draft press release had been circulated by email and Members approved the content, for distribution to a number of interested parties and the media, and to be posted on the Land Charity website.

RESOLVED: (i) That the Officer's actions to arrange the venue be approved.

(ii) That the approved press release be circulated to all those who have recently expressed interest in this site, the local media, and posted on the Council's noticeboards and Land Charity website.

(4) Wellhouses: Members noted the receipt of a letter from a local resident expressing an interest in purchasing the Title to this site.

RESOLVED: That the Officer should write to the resident to thank him for his letter, but to inform him that this site was still under consideration.

(5) The future use of other sites held by the Charity: Due to lack of time left in this meeting, it was agreed that consideration of other sites should be deferred to the next meeting. In the meantime, the Officer to contact the Approved Planning Consultant to progress matters he has been instructed to investigate.

RESOLVED: That the Officer should contact the approved Planning Consultant to request progress status on a number of sites, to be considered at the next meeting.

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**Chairman**