

Holme Valley Land Charity

HOLME VALLEY PARISH COUNCIL (GRAVESHIP OF HOLME) LAND CHARITY

MINUTES OF THE CHARITY COMMITTEE HELD ON WEDNESDAY 24 FEBRUARY 2010

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

09 80 To accept apologies for absence

None were received.

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

09 81 To consider whether items on the agenda should be discussed in private session

RESOLVED: That items 6 (Financial Statement), 7 (Administrative Matters), 8 (To consider action in relation to specific sites) and 9 (Action Plan) on the agenda should be discussed in private session.

09 82 To receive Members' declarations of interest in items on the agenda

None were declared.

09 83 To confirm the Minutes of the Previous Meeting

RESOLVED: That the Minutes of the meeting held on 3 February 2010 numbered 09 68 - 09 79 inclusive be received and adopted as a true record.

09 84 Correspondence arising from the Minutes

Minute no. 09 75 refers: Members noted that Wm Sykes & Son had valued a number of sites and negotiations could now be commenced with a number of third parties.

09 85 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 86 Financial Statement

Statement of Account from 1 April 2009 to 15 February 2010: Members noted the information provided by the Officer.

RESOLVED: (1) That the Statement of Account (detailed) from 1 April 2009 to 15 February 2010 be approved.

(2) That future financial reports be submitted quarterly unless further reports deemed necessary by Officer/Chairman.

Statement of Account and further information - pre 1 April 2009: Members noted the information provided by the Officer and Clerk, and gave thanks to the Clerk for her assistance in supplying such a comprehensive and balanced report. The concept that all costs incurred prior to 1 April 2009 balanced out with the income was a logical and argued approach, which would be reported to the Finance and Management Committee of the Council for year end purposes.

RESOLVED: (1) That the Statement of Account for the period prior to 1 April 2009 be recommended to Council for approval through the Finance and Management Committee.

(2) That the Officer should arrange the refund payment as agreed and detailed in the confidential report.

09 87 Administrative Matters

(1) Edge Module - Members considered the annual renewal cost of the software (deferred from last meeting) allowing 24 hour remote access and virtual working on the data.

RESOLVED: That the renewal cost be approved.

(2) Officer time spent on Charity administration (deferred from last meeting): Members considered the temporary contract to 31 March 2010, including additional working hours (September to December 2009 inclusive) and an estimate of workload demands to the end of the temporary contract. It was agreed that the Officer should liaise with the Clerk regarding actual working hours to suit the Officer, but the continuation of the temporary contract to 31 March 2010 was approved, with additional hours worked to be paid for February (9) and March 2010 (a maximum of 15, if required).

RESOLVED: That the continuation of the temporary contract to 31 March 2010 be approved, with overtime payments to be made as indicated above, within the maximum limit.

(3) Recharge of Officer time and oncosts (deferred from last meeting): Members noted the information supplied by the Clerk and Officer on time and oncosts over the years of setting up the Charity Scheme. It was agreed that the full amounts, as proposed by the Clerk, should be repaid before the year end.

RESOLVED: (i) That the time and oncosts for the Officer, for the year 2009-2010, be refunded before the current year end.

(ii) That the Clerk should be asked to issue requests for the amounts to be repaid, as appropriate.

(iv) That the Officer would report on time and oncosts recharging on a quarterly basis, with the amount to be refunded quarterly.

Members agreed that it would be difficult to produce a budget for the year 2010-2011 and this item should be deferred for consideration at a future meeting, once the above amounts have been refunded and financial reporting is being carried out on a regular basis.

(4) Temporary investment of balance of income generated from first auction: It was agreed that the Officer should investigate potential savings/investment accounts and interest rates payable. Members could then decide on where best to invest any income temporarily.

RESOLVED: (i) That the Officer should investigate savings/investment accounts and report back to the next meeting, for further consideration of this item.

(5) Larger Councils' Conference: Members noted that the Clerk was to facilitate an 'Issues facing your council' session at the Conference on 'Acting as sole trustee of a charity'. It was agreed that the Officer should start an email 'round robin' for ideas of aspects to be raised.

RESOLVED: That ideas/questions to be emailed to the Officer, for subsequent forwarding to the Clerk before the Conference.

(6) Maintenance Work relating to Land Charity sites: It was agreed that a formal contract was not necessary, but the Officer should seek quotations (valid for 12 months) from three contractors who might be willing to carry out ad hoc maintenance work, as and when required.

RESOLVED: That the Officer should seek quotations from contractors with a range of skills and experience, to enable the Charity Committee to call upon their services as and when necessary.

(7) To review Standing Orders, Financial Regulations and Scheme of Delegation (Council and alternative models) as applicable to the Land Charity, for adoption by Council (as Trustee): It was agreed that this item be deferred to a future meeting, to enable legal advice to be considered.

RESOLVED: That this item be deferred to a future meeting.

(8) To consider scope of insurance cover required (from 1 April 2010 to 31 March 2011): It was agreed that the Officer should seek quotations from the Council's current insurance provider, plus two others, for the land assets and documents held by the Council (as Trustee).

RESOLVED: That the Officer should seek comparative quotations for consideration at the next meeting.

09 88 To consider action in relation to specific sites

(1) Cowcliff Hill Road, Strines Moor re registered title:

(a) Land Registry: Members considered correspondence received regarding an additional submission by the applicant and approved the response to be made by the Officer, to agree to negotiations direct with the applicant.

RESOLVED: (i) That the Officer should respond to the Land Registry by the due date.

(ii) That the Officer should write to the applicant's solicitors to request a meeting with the applicant to commence direct negotiations with him, with a copy to be sent to the Land Registry to keep them informed.

(b) Lupton Fawcett: Members noted correspondence from Lupton Fawcett addressing concerns about lack of communications. Members also noted that Land Registry and the applicant's solicitors would be addressing any future correspondence direct to the Council (as Trustee) in future.

RESOLVED: That the response from Lupton Fawcett be considered further at the next meeting, but in the meantime the Officer to write to them to acknowledge receipt and inform them that the Council (as Trustee) would continue to deal direct with Land Registry and the applicant/solicitors on this matter.

(2) White Wells/Dean Bridge - Minute no. 09 63(3) refers: Members noted further information received from a local resident regarding access to neighbouring land.

RESOLVED: That the Officer should write to the resident, to thank him for the information provided, which has been noted.

(3) Cliff:

(a) It was agreed that a public meeting should be held as soon as possible, to gather views from local residents and other interested parties on the long term future of this site. Following consideration of possible dates, potential venues and publicity for the meeting, it was agreed that the Officer should make the necessary arrangements for a public meeting to be held in March or April 2010, at Wooldale Community Centre if possible.

RESOLVED: (i) That the Officer should make the appropriate arrangements and circulate Members of the Committee with potential dates/availability of venue to fix a date as soon as possible.

(ii) That final arrangements for the public meeting should be made at the next meeting after the date has been fixed.

(b) Minute no. 09 78 refers: Members noted a reply from the resident regarding his earlier queries, to which the Clerk had submitted a detailed response.

RESOLVED: That the above be noted.

(4) Sude Hill: Members noted the information received regarding a parked vehicle on this site. It was agreed that the Officer should report the vehicle to the local police, to enquire as to what action the police and/or the Charity Committee could take regarding its removal from the site.

09 89 Action Plan

(1) Tenancy fees for the year from 1 April 2010: It was agreed that this item should be deferred to the next meeting. An additional meeting was agreed, to be held on Wednesday, 3 March 2010 at 5pm, in the Council Chamber.

RESOLVED: That the item of Tenancy Fees be deferred to the next meeting.

(ii) That the Officer should make the necessary arrangements for an additional meeting to be held on Wednesday, 3 March 2010.

(2) Future use of other sites held by the Charity: It was agreed that Mr Paul Dixon of Wm Sykes & Son should be invited to the next meeting, to update the Charity Committee on his negotiations with third parties.

Members agreed that Mr R Halstead, the appointed Planning Consultant, should be asked to assess the potential of a number of additional sites, and for his additional report to be submitted to a future meeting for consideration.

Members expressed concern about the protracted works near to the Hollingreave site, the extent of the works and how the Charity site was going to be left after works had been completed. The Officer would request an update from Kirklees Council and report back to the next meeting.

RESOLVED: (i) That Mr Paul Dixon, Wm Sykes & Son, be invited to the next meeting on 3 March 2010.

(ii) That the Officer should write to Mr Halstead, to authorise him to carry out an assessment of a number of additional sites, and to submit his report for consideration at a future meeting.

(iii) That the Officer should contact Kirklees Council, to request an update on the schedule of work adjacent to the Hollingreave site, currently being used for storage of equipment and materials.

(iv) That consideration of the future of all remaining sites be deferred to the next meeting.

09 90 Freedom of Information Act 2000 - to agree what information will be made available to the public

(1) Availability, or not, of supporting papers - under Council's Publication Scheme: On the advice of Kirklees Council, the Clerk informed Members that the Act did not apply to charities. Members agreed, therefore, that this section was irrelevant on future agendas and minutes.

(2) Request for information under the above Act: The Officer reported on a request for information, referred from Council as the information related to a site formerly held in Trust by the Council and sold at the first auction. Members also noted correspondence from the Charity Commission, acknowledging that their records had been updated relating to all the sites sold at that auction.

RESOLVED: That a letter as drafted and approved by the Committee be sent to the person requesting the information (under the Act).

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Chairman