



Stainland and District Parish Council 41st Ordinary Meeting Minutes

31/03/22

Councillors Present: Councillor Liddell (Chairman). In attendance were, Councillor Bottomley, Councillor Booth, Councillor Fieldhouse, Councillor Mullany and Councillor James.

ABSENT - Councillor Weeks & Councillor Knights

Minutes taken by The Parish Clerk

	Item
22.41.01	Apologies Resolved to note that Councillor Weeks has sent apologies to the Clerk ahead of the meeting.
22.41.02	Previous Minutes Resolved to accept the minutes of the meeting held on 24 th February 2022.
22.41.03	Declarations of Interest Resolved to note there were no Parish Councillors' declarations of interest.
22.41.04	It was noted that Councillor Jill Knights has been elected.
22.41.05	Resolved to accept that Councillor Fieldhouse will be vice chair from today. Resolved to accept that Councillor Weeks will be chair of environment Resolved to accept that Councillor Knights will be chair of Communications Resolved to accept that Councillor Booth will be chair of Asset Management
22.41.06	Public Participation Resolved that there were no members of the public for Public Participation
22.41.07	Councillor Liddell gave an update on Library. No communication from Sarah Richardson to approve the EOI. Next stage is to formally discuss the lease with CMBC. Which entails discussing terms of use. Asset management committee agreed that GL & TW to head up discussions with CMBC.
22.41.08	It was noted that the SDPC Business plan has been open for public consultation. Councillor Liddell noted that there have been no comments from the member of the public. Resolved that all approved the document.
22.41.09	Allotments In connection with the proposed purchase of the Drury Lane Allotments and land adjacent to it for a community orchard, members of the Council had received advice from both their legal advisors and from YLCA about the attendant risks of proceeding with the purchase. These risks arose because of difficulties in identifying the owner(s) of the land in question to the satisfaction of the Land Registry. If the sale

	<p>proceeded and the Parish Council acquired limited rather than full title to the land, there was a possibility that, in the future, its ownership could be challenged by another party claiming to be the true owner. If this occurred, the Council would forfeit its ownership and face difficulty in recovering the price it paid for the land in question. The vendor's solicitor has made it clear that if further work to establish a clean title is required, this cost would have to be borne by the Parish Council, could take significant time and cost to conclude and may ultimately be unsuccessful anyway.</p> <p>The Council noted that the question of ownership has not been an issue in the use of the land as allotments since 1997 and no alternative persons have mounted a successful challenge to those presenting themselves as the true owners since 1890. The risk of a challenge now appears very low although not non-existent and the fact was that the Council's legal advisors had already received a large number of contemporaneous documents implying ownership of the site from the vendors, which could be used in evidence should such a challenge be made.</p> <p>Advice had been sought from YCLA on the position overall, as the Council was concerned to be able to show that in proceeding with the purchase and acknowledging the attendant risk, it was acting within its powers and responsibilities. The advice received concluded that the Council was acting responsibly and within its powers if it proceeded with the purchase, cognisant of the risk of a challenge to ownership. YLCA drew the Council's attention to drafting a suitable disclaimer in any sub-lease as recommended by the Council's legal advisors and to validate by means of an independent valuation that the purchase price was reasonable in all the circumstances.</p> <p>Resolved that the above report, the advice received from the Council's legal advisors and advice from YLCA be noted</p> <p>Resolved that an independent valuation of the land in question be obtained</p> <p>Resolved that, subject to a satisfactory valuation then, in the light of the advice received, the Council proceeds with the purchase of the land in question for the agreed price at the earliest opportunity."</p>
22.41.10	<p>It was noted that reports from the Chairman, Committees and Councillors were as follows</p> <p>Environmental Committee – Councillor Fieldhouse & Councillor Weeks met with play officer from CMBC and designer, awaiting design to return with costings.</p> <p>Communications Committee It was noted there is a large agenda for April.</p> <p>Policy & Finance Committee Resolved to accept minutes from 18th & 19th Policy and Finance Committee meetings.</p> <p>The financial reports were presented showing the present position.</p> <p>Planning Committee No updates from Planning.</p>

	Staffing Committee. It was noted that the wardens review is this month.		
22.41.11	Financial Reports and 2022/23 Budget These were reviewed and this confirmed that the overall financial position was healthy and that the estimates for 2022/23 were nearly complete. The budget estimates given for the current financial year for each committee were noted and approved. Each committee now has delegated authority from the Council to spend on the approved items in their budgets <u>up to the current year estimate</u> but with regard to and in full compliance with the Council's financial regulations. Inter alia, these regulations do not allow for the movement of money from one budget heading to another ("virement") or changes in the scope or content of any item without the approval of Policy and Finance and the Council. It was noted that the budget for Planning (if any) will be reviewed once Cllr Mullany has met with CMBC.		
22.41.12	Resolved to accept the financial reports submitted and payments from this month.		
	Date	SUPPLIER/COMMODITY	Total Amount
	01/02/22	AM Cook Website hosting	£39.92
	17/02/22	ASF Street Furnishings (Heritage Railings)	£1464.00
	17/12/22	Ecological Estates (Shaw Park Pond)	£420.00
	17/02/22	T Kirk Forestry (Warden Training)	£368.20
	17/12/22	Councillor Fieldhouse (Woodpaint)	£9.42
	17/02/22	SLCC (Membership)	£410.00
	17/02/22	Hollywell green Church (Room Hire)	£45.69
	17/12/22	Councillor Fieldhouse (Woodpaint)	£16.00
	17/02/22	Councillor Fieldhouse (Plants)	£13.98
	17/02/22	YLCA (Training)	£45.00
	23/02/22	Vodafone – Clerks Phone	£12.15
	28/02/22	HMRC	£17.47
	28/01/22	Wages- Clerk & Warden	£1061.74
			£3,923.57
22.41.13	It was resolved that there was no correspondence received.		
22.41.14	It was resolved that any agenda items will be sent to the Clerk ahead of the next meeting.		
22.41.15	Date of next meeting will be 28th April 2022		

Meeting finished at 8.17pm