

MINUTES OF AN EXTRAORDINARY MEETING OF THE PARISH COUNCIL

held on Monday 11th November 2024 at 6:30pm in Scholes Sports Pavilion

PRESENT:

Councillor	Stella Walsh (Chair)		
Councillors	Karen Dales	Phil Maude	Paul Remmer
	John Hayton	Kinga Ragg	Gillian Williamson

In attendance: The Clerk.

1 APOLOGIES

Cllrs. Foxcroft, Shoemith and P. Walsh.

2 DECLARATIONS OF PECUNIARY INTEREST.

None.

3 EXCLUSION OF PRESS AND PUBLIC

It was **resolved** that under section 100 (A)(4) of the Local Government Act 1972, that press and public be excluded from the meeting whilst agenda item 4 was being discussed on the grounds that this involves the likely disclosure of exempt information, as set out in the relevant paragraphs of Part 1, Schedule 12A of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information

4 LETTER OF ENGAGEMENT FROM LUPTON FAWCETT

The letter of engagement from Lupton Fawcett was still awaited, however, Cllr. Maude and the Clerk had spoken to the solicitor the previous Friday following which, Cllr. Maude had circulated a report to all Councillors in order to inform the discussions.

There were several points to note. Purchase of the allotments could be made under section 25 of the Small Holdings and Allotments Act 1908 but other powers would be needed to buy the adjacent grassland. This could lead to additional legal costs. Alternatively, both plots could be bought as allotment plots under the 1908 act and if the Parish Council (PC) chose, the grassland could be appropriated to other uses at a later date.

There was also the question of the solicitor's fees and whether costs might rise above her quotation. He suggested that the PC agree to put a ceiling on the fees and ask the solicitor to notify the PC if the costs were approaching that ceiling so that a decision could be made about whether to continue.

The solicitor had been invited to visit the site. Cllr. Maude suggested that a meeting with the solicitor would be better than exchanges of emails which would add to the fees.

There was also discussion about the terms of the overage clause. This would likely be set by the vendor at which point, the PC could consider whether to accept the terms or not. The main aspects would be duration and use. This would be triggered by commercial development. It was the view of the meeting that the PC would wait to see what overage clause the vendor proposed and to consider it then.

A previous meeting had suggested purchasing the two plots of land separately across two financial years, but this would add to the legal costs which the PC was keen to keep to a minimum and the view was that the solicitor be given instruction to proceed with the purchase of both plots as a single contract.

There was a concern that the PC solicitors had not yet heard from the solicitors of the vendor.

It was hoped that the draft contract would come in time for discussion at the December 2024 meeting.

It was **resolved** that the fees charged be capped at £6,000 (including the £1,000 the PC had agreed to pay towards the vendor's legal fees).

5 DATES OF FUTURE MEETINGS

Date	Time	Meeting
2 nd December 2024	7pm	Parish Council meeting
11 th November 2024		Finance and General Purposes (F&GP) Committee (to start immediately following the conclusion of the above Extraordinary meeting).
Both the above meetings to be held at Scholes Sports Pavilion		

Note: The wording of agenda items to be submitted in writing to the Proper Officer at least ten clear days before a meeting.

There being no further business the meeting closed at 6:55pm.

Signed

Chair
2 December 2024