

KIRKBURTON PARISH COUNCIL

MANAGEMENT & FINANCE COMMITTEE

MINUTES OF THE MEETING ON 21st JUNE 2012 at 8.30 pm AT BURTON VILLAGE HALL

At the meeting on 5th July the Council confirmed the accuracy of the minutes, but referred the recommendations back to Committee for further consideration in the light of information received since the original meeting.

Present: Cllr R Burton in the Chair
Cllrs R Barraclough, N Berry, I Lumb, J Hirst, L Parsley, J Paxton and C Whittingham.

Officer in attendance: Mrs A Royle

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| <p>Apologies were received from Cllrs A Munro. Absent: Cllr K Dunn</p> | MF1 | Apologies and
Declarations of
Interest |
| <p>Cllr Parsley declared a personal interest in Shelley Village Hall, as she is a resident of Shelley and therefore a member of Shelley Community Association.</p> | | |
| <p>All members present declared they had each received a letter from Shelley Community Association.</p> | | |
| <p>A resident of Shelley and two Shelley Parish Councillors addressed the Committee on the subject of the agreement currently under negotiation.</p> | MF2 | Public
Participation |
| <p>In answer to a query from the Chairman, the Clerk advised that YLCA's advice was that the discussion of items such as contracts and negotiations should be held in private.</p> | MF3 | Admission of the
Public |
| <p>Resolved: To hold the discussion of Items MF4 and MF5 in the private session as they concerned negotiations of the leasehold agreement between the Parish Council and Shelley Community Association.</p> | | |
| <p>The Shelley Parish Councillor, who was not a member of the Committee, and the member of the public both left the meeting.</p> | | |
| <p>The Chairman made a statement in which he expressed concerns that the two options currently available at Shelley Village Hall were not fully understood by the members of Shelley Community Association, although this was disputed. He recommended that the Clerk writes to Shelley Community Association to explain the options.</p> | MF4 | Chairman's
Statement |
| <p>The Chairman also expressed concern about the escalation of legal costs. He raised the possibility of the Parish Council contributing to Shelley Community Association's legal costs. However, that could only be agreed under a separate Council agenda item, which someone would need to request.</p> | | |
| <p>Members held a lengthy discussion on the amendments to the leasehold agreement put forward by Shelley Community Association and considered them alongside the advice received from the Council's Solicitor and Surveyor.</p> | MF5 | Sale of Shelley
Village Hall |
| <p>Recommendation: To accept the changes to the leasehold agreement in accordance with the professional advice.</p> | | |
| <p>Recommendation: To offer a face-to-face meeting to provide clarifications on the agreement, to be made up of an officer of Shelley Community Association with the SCA's professional/legal advisors, the Clerk to Kirkburton PC with the Council's Solicitor and Surveyor, as well as an independent Chairman and Clerk to service the meeting.</p> | | |
| <p>It was also agreed that the Clerk would act under delegated authority to respond to Mrs Priestman to answer the specific points she raised with the individual members due to the urgency of the situation. She agreed to double-check the information with the Council's surveyor beforehand.</p> | | |

Minutes subject to confirmation of accuracy and adoption by Council on 5th July 2012.

The Clerk advised that the Council needed to agree on the signatories for the final agreement.

**MF5 Sale of Shelley
Village Hall
(Cont'd)**

Recommendation: That the leasehold agreement be signed by the Chairman and Vice Chairman.

The Clerk passed on advice received, that the Council was recommended to notify Shelley Community Association, that this was the final draft and no further amendments would be considered.

Recommendation: That the Council does not accept that advice on the grounds that it could be seen as a threat.

The member of the public and the Shelley Parish Councillor not on the Committee, were both invited back into the meeting to receive a verbal report of the Committee's recommendations.

The meeting then closed.