Minutes of an Extra Ordinary Parish Council Meeting held at the Methodist Church Hall on Wednesday 2 August 2023 at 6.30pm

Present: Cllrs. Debbie Rolfe (chair), Richard Ludlow (vice chair), David Wilby, Andrew Nebel, Jon Whowell, Kevin Corby, Sarah Markwell-Cook, Simon Houghton and Marc Blake
In Attendance: 0 members of the public and Sarah Gresty-Parish Clerk.

Public Forum. None held

AGENDA

23/24-50 **Apologies** for Absence were received from Cllr. Andy Yates. It was **Resolved** to accept this apology unanimously.

23/24-51 **Declarations** of unregistered disclosable pecuniary interests. None received.

23/24-52 Cllr. Nebel and Jo Gresty Meadows Playing Field Management Association (MPFA) Chairman, had met with Chattertons Solicitors to pursue the preparation of a lease between Ryhall Parish Council and the MPFA to enable continuity of management of the playing fields. The cost of £1500 + VAT and £750 + VAT to register the land with the Land Registry was proposed.

Clarification:

- Ownership of the pavilion will be transferred to the Parish Council
- A co-operation agreement between MPFA and the Parish Council will be brought to a committee meeting for resolution. Chattertons advised that it would not be necessary to employ them to draft the agreement so Cllr Nebel & JG will draft the co-operation agreement, saving costs.
- The land will be registered with the Land Registry – Action Cllr. Nebel to explore any cost efficiency to be made in registering the allotments, cemetery and other identified pieces of land to the Parish Council at the same time.

Reasons for a lease to MPFA. Advantages:

- Charitable Incorporated Organisation (CIO)– Currently the MPFA is a registered charity where the individual trustees are in effect the charity. This can cause legal complications. The charity is carrying out a long overdue update and correction of its constitution and, at the same time, will register with the Charity Commission as a CIO which has the effect of making the charity the legal body, not the individual trustees. This will simplify the legal status of the charity and provide much greater clarity when entering into legal agreements, applying for funding etc.
- A Parish Council cannot run a charity. However, the nominated parish councillors will remain as members and or trustees of the MPFA.
- As a governmental body, the parish council is excluded from applying for many different funding pots e.g. the national lottery. As an independent charity, MPFA is able to apply for funding which may not be available to the parish council.
- The freehold ownership of the playing fields and the new lease will require registering. These will be one-off costs.
- MPFA intend drawing up a sub-lease between the charity and the Bowls Club (as this has never been formalised). This will clarify the basis on which the Bowls Club occupies the property, protecting both the Club and the Parish Council as landowner. The certainty should help the Club access funding in its own right.

In accordance with RPC Financial Regulation 11.1(ii) tendering procedures were not required, Chattertons being specialist advisers and with the additional benefit received from approximately 1 hour of free legal advice, it was deemed to be the correct solicitors to use.

CHAIR: _____ DATE: _____

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In accordance with the resolution resolved at Minute Reference 2023/03/05 it was proposed to instruct Chattertons as solicitors:

Proposal: To instruction Chattertons Solicitors at a cost of £1500 + VAT to prepare the lease Cllr. Rolfe, Seconded Cllr. Nebel. Voting 1 abstention the remaining unanimous in favour- **RESOLVED.**

Proposal: To instruction Chattertons Solicitors at a cost of £750 + VAT to register the land with the Land Registry. Cllr. Rolfe, Seconded Cllr. Wilby voting unanimous in favour- **RESOLVED.**

23/24-53 Page 5 of the Annual Governance Accounting statement for 2022/23 was presented by the clerk. Adjustments by the Auditors were required to box 6 "other payments".

Proposal: To sign the amended page 5 as presented Cllr. Wilby, Seconded Cllr. Nebel and unanimous in favour **RESOLVED.** Cllr. Rolfe as chair resigned the amended document.
Action: Clerk to present feedback from the internal and external auditors at the next meeting.

The meeting closed at 19:08

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