

CHURCHILL PARISH COUNCIL

Minutes of the extraordinary Parish Council meeting held on Monday 18th July 2016 at 8.00 pm in Churchill Community Club, Ladymead Lane Churchill.

COUNCILLORS PRESENT

(Chair) Councillor Jackie Bush	Councillor Graham Fortune
(Vice Chair) Councillor Brenden Hill	Councillor Trudy Silverton
Councillor Dev Clutterbuck	Councillor Sue List
Councillor Alan Lovell	Councillor Bill Caruthers
Councillor David Hurst	

Other Attendees

Clerk of the Council- Martin Dolton.

1617/C/050: Apologies - to receive apologies from Councillors for non-attendance.

Apologies had been received from Councillors Valerie Langley, and Simon Glanfield.

1617/C/051: Declarations of interest: To receive alteration/amendments to the register of interests: To receive declarations of interest on agenda items.

None Declared.

1617/C/052: Public Participation.

There were no members of the public present.

Prior to consideration of the following Item, members resolved:-

'That the press and public be excluded from the meeting during consideration of the following item on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business – being of financial and legal significance to a contract matter'.

1617/C/053: To consider matters relating to the lease of the former Doctor's Surgery, and consideration of rescinding a previous resolution of 9th May 2016 in accordance with Standing Orders.

Standing Orders of the Council require that no resolution decision (whether positive or negative) made in the past six months can be reversed unless written notice has been given by at least three members of the Council.

Such notice had been received from Councillors Brenden Hill, Dev Clutterbuck, Sue List, Alan Lovell and Jackie Bush that they wished the Council to consider reversing the decision of 9th of May 2016 relating to the length of the lease extension to be granted (decision 9th May to grant 99 years and not the 125 years applied for by the leaseholder) and thereby by special resolution at this meeting grant the 125 year extension that had been applied for.

Members discussed in detail the matter of the length of the lease extension to be granted and various other matters relating to such a grant.

The following resolutions were agreed by vote, each resolution being subject to a separate vote call.

RESOLVED (1) :-

In principle, the Council are willing to grant an extension of the current lease to the leaseholder for a period of 125 (one hundred and twenty five) years from now. Such a grant will be subject to a written undertaking by the leaseholder that the financial consideration calculated to be appropriate in the circumstances (to be calculated by the consultant instructed by the Council and notified to the leaseholder and the Council) will be paid on legal signing / sealing of the lease extension documents. The grant of consent does not become active until such time as the amount to be paid has been settled by calculation and the written undertaking is received by the Council.

RESOLVED (2) :-

In principle, the Council are willing to grant an extension of the demise of area of the current lease to enable the leaseholder to provide sole use of 8 (eight) car parking bays as required in the planning consent obtained by the leaseholder. Those car parking bays will lie across the front of the building near the boundary hedge with the first bay being closest to the children's play area fencing, and the remaining seven adjacent. Such a grant will be subject to a written undertaking by the leaseholder that the financial consideration calculated to be appropriate in the circumstances (to be calculated by the consultant instructed by the Council and notified to the leaseholder and the Council) will be paid on legal signing / sealing of the lease extension documents. Any such granting will also be subject to a written agreement by the leaseholder that additional ground rent for the increased area will be paid on either a quarterly basis with the current ground rent payable, or an annual basis. The grant of this consent does not become active until such time as the amount to be paid has been settled by calculation and the written undertakings are received by the Council.

RESOLVED (3) :-

The Council will now instruct their consultant, Mr D Burston, to calculate the appropriate financial sum to be paid by the leaseholder in consideration of the in principle consents as shown above in Resolutions (1) and (2) of these minutes and inform the Council and the leaseholder of that sum. Further, that Mr Burston is to calculate the appropriate and reasonable ground rent applicable for the in principle consent as shown at Resolution (2) above i.e. the extension of the area of the demise to include sole use of eight parking bays and inform the Council and leaseholder accordingly.

RESOLVED (4) :-

The Council grant permission for the leaseholder to have wayleave access over the land owned by the Council to facilitate trenching and cabling for utility connection as shown in the plan submitted by the leaseholder from Western Power Distribution marked 'Enq No.2447488'. This permission is subject to the service joint / pot ends (meter boxes) shown on the plans being fitted flush with the front wall building line of the building and current demise, or within the boundary building line of the current demise, and not protruding onto the public

area owned by the Council. The property and surfaces of the Council land to be reinstated to the current status and level of quality.

RESOLVED (5) :-

In accordance with the terms of the current lease (Para (xiv), the Council request that the leaseholder produce to them a current certificate of insurance and sufficient detail to establish that the premises are insured in accordance with the lease (re-instatement of the building in case of damage / destruction).

RESOLVED (6) :-

The Council instructs the Clerk to seek further legal advice on various aspects of this matter.

There being no further business the Meeting closed at 9.05pm.

CHAIR.....

DATE.....