

Draft for approval

BRAMHAM PARISH COUNCIL

Minutes of the EGM held Wednesday 16 January 2013

Present: Cllrs: Whitbread (Chair) Innocent, Batt, Blanchard, Halliday, Henderson, Jones and Mackie

In attendance M Lynch (Clerk)

1. Apologies for Absence – None
Not present: Cllr Rhodes
2. Disclosure of disclosable pecuniary interests or declaration of any other significant interests which may be in the public interest – None
3. **Resolved:** to exclude public and press due to confidential nature of agenda items 4 & 5 : moved Cllr Whitbread, seconded Cllr Halliday
4. To consider the response to legal advice in respect of the playing field lease.

The Chair opened the discussion by summarising the key points of the legal advice, which states that the 'lease' awarded in 2008 has never been valid. The key reason being that in 2008, the BSLA was an unincorporated association and for the purposes of holding land was not a legal entity. The meeting discussed reasons for the granting a lease of the playing field to the BSLA. Cllr Innocent recalled that the main reasons for granting the lease in 2008 were (i) that the BSLA would be a separate body better placed to raise funds and (ii) the lease gave a security of tenure which the BSLA would require when applying for grant funding. He was of the view that these objectives had been fulfilled to a certain extent. There was some discussion as to the implications of not granting a revised lease to the BSLA and it was agreed that granting a lease was the best way forward, with the objective of having the pavilion up and running.

Resolved: to offer the BSLA a revised lease. Moved: Cllr Whitbread, seconded Cllr Innocent

5. To consider the position regarding due diligence
As the information requested from the BSLA had not been provided Councillors agreed that due diligence could not be completed. However it was agreed that a way forward was required in order to see the Pavilion completed and operational. Therefore it was Resolved to: put the following proposal to the Directors of the BSLA
 - (i) The £58k is ring-fenced by the PC for capital works.
 - (ii) A copy of the estimate for landscaping and car park has already been provided and this will be considered for approval.
 - (iii) Subject to approval, the grant will be paid direct to the contractor when invoices are submitted following completion of the approved work.
 - (iv) The balance of the £58k will be retained by the PC and subject to approval made available for future capital works.

(v) The PC repays the £50k directly to Bramham Community Fund
Resolved: to propose the above to BSLA. Moved Cllr Blanchard, seconded Cllr Whitbread.

6. To consider the publication of a statement to residents

It was **Resolved:** that Cllr Whitbread and Cllr Mackie should prepare a draft statement. Moved Cllr Innocent, seconded Cllr Whitbread