

## Beckingham Parish Council

### Minutes of the Parish Council Meeting held on Wednesday 24<sup>th</sup> February at 7.30pm

**Present:** Cllr L Tatton (LT), Cllr P Thorpe (PT), Cllr P Wells (PW), Cllr A Brewer, Cllr G Else (GE), Terry Brown/Parish Clerk (TB).

District Cllr Pat Woodman MBE (PW)

Mrs L Barber and friend.

Minute	Action
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#### 16/16 Public Time

Mrs Barber expanded at length on her concerns outlined in her email of the 11<sup>th</sup> February (attached at end of minutes) concerning the proposed sale of the Amenity Woodland.

She reminded the Parish Council of the need to make safe the site against the possible dangers and damage to her adjoining property.

She questioned whether the new owner would pay sufficient regard to the covenant attached to the property which obliges the owner to maintain it as an amenity for the benefit of the village.

She questioned the valuation of the asset in the Parish Council Asset register. (TB reminded her that the audit regulations require all assets to be valued at historic cost.)

In reply LT detailed the steps that had been taken over the past twelve months in seeking a solution to the problem. This included raising the matter at the Annual Parish Meeting in May 2015 but no interest had been expressed by any parishioner in that time. An independent valuation had been obtained from the District Valuer.

As well as the adjoining two residential properties, LT stated that the Church PCC had been kept fully informed of all developments and that they raised no objection to the prospective sale other than that the informal agreements made between themselves and the Parish Council regarding access, fencing and tree work would not carry over to the new purchaser but would need to be reviewed and separately agreed. (See Copy of PCC letter dated 10<sup>th</sup> February attached at end.)

LT stated that the prospective purchaser (the third outside the village to express interest) had been fully informed of the covenant attached to the property, of the interests of all the adjoining properties, of the existing access arrangements and the need to undertake remedial tree work as a matter of urgency. The potential purchaser had agreed that this would be started as soon as possible after the completion of the sale.

PW pointed out the statutory requirement for the Parish Councillors to act in the best interests of all the parishioners rather than specific individuals and that it was the role of the Councillors to take a considered view as how best to use its assets and monies.

Mrs Barber agreed that the Parish Council had followed a correct procedure with regard to calling this extraordinary meeting.

Public time finished at 8.05 pm and Mrs Barber and friend left the meeting.

**16/19 Members' declarations of Interests**

None

**16/20 Approval of the minutes of the meeting 20<sup>th</sup> January 2016.**

Approved and signed by LT.

**16/21 Matters arising.**

**15/89 Playing field signs**

The meeting agreed the need for a second sign.

Action LT

**16/11 Finance**

TB asked for a resigning of the mandate to transfer monies between the two accounts.

**16/13/2 Resignation of Play Park Committee**

PT reminded the meeting of the need to transfer documents and monies from the PP Committee before its termination at the end of March 2016.

Action Clerk

**16/14/6 Health and Safety**

AB proposed a policy to be adopted. Clerk to prepare for discussion at the next meeting.

Action Clerk

**16/14/8 Village Communications**

PT asked for an entry in the next Bugle to remind parishioners of the cost of grass cutting in the Parish finances and the need to keep grass verges clear in order that the Village receives best value from the cutting.

Action Clerk

**16/22 Finance**

Cheques signed	EKM	£1188
	L Tatton	£36
	Newark Advertiser	£156.38
	LALC	£137.47

Bank balances confirmed at 26/1/16:

Money Manager	£273.05
Current Account	£15173.12

The meeting agreed to place LT as a third cheque signatory.

Action LT

**16/23 Possible sources for donations towards Village improvements.**

The meeting agreed to approach the two charities in the Village with a view to seeking funds towards village improvements and specifically a new notice board.

Action Clerk

**16/24 Resolution to close the meeting to members of the public and press**

The meeting agreed to close the meeting to the public in order to discuss a matter of a confidential and commercial nature.

**16/25 Resolution to discuss and agree the sale of the Amenity Woodland.**

LT reviewed in detail the steps taken over the last twelve months to inform the Parish of the nature of the problem.

TB reminded the meeting that the regulations had been fully complied with (Local Government Act 1972 s.127). PW reminded the meeting that a purchase price had been obtained considerably in excess of the minimum required in the District Valuer's report.

LT reviewed how all parties had been kept fully informed of developments and allowed ample time to respond and that the process had been guided by appropriate and independent legal advice.

LT reminded the meeting that the prospective purchaser had been fully informed of concerns of some residents and the obligations imposed on a sale by virtue of the covenants on the property.

All Councillors agreed that the sale should be approved and the legal documents were signed and witnessed.

**16/26 Date of next meeting Wednesday 16<sup>th</sup> March 2016**

The meeting closed at 9.15pm

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Email from Mrs L Barber:

Further to your letter of 9 February 2016 informing us that a bid has been received for the Amenity Woodland adjacent to our property, The Old Rectory, I have spoken to Lawrence Tatton to outline some queries and concerns I have about the sale of the land. As per my previous correspondence, some of the trees on the land are potentially in a dangerous state (two having already fallen onto our land causing damage). I have previously sought assurances that the Council would be undertaking a survey and all necessary tree work to ensure the safety of the area. It is my understanding that the Council has sought to divest itself of this burden by the sale of the land and has found a potential purchaser.

I am concerned as to what if any steps the Council has taken to ensure the purchaser will undertake the necessary works to ensure the safety and upkeep of the area. My concerns stems from the fact that, having looked into the matter myself, the land has both TPO's and a restrictive covenant attached to it and further does not have independent access. Thus its value to an unconcerned outsider with legitimate interest must be very limited. Indeed if it is to be managed lawfully and in accordance with the covenant and the requirements of the TPO's (and insured) it can only represent a considerable burden to any owner. This leads me to worry that any purchaser (if not a philanthropist) is likely to seek to exploit the land in a potentially unlawful way or a way which would adversely affect our property, the Church and the community. For example illegal felling for firewood or tipping of rubbish etc. I can see no other motive for the purchase. Certainly I can see

no reason why the purchaser would undertake costly survey and tree works for no benefit.

Can I therefore ask whether the Council has or would consider placing restrictions on the sale positively requiring that the woodland be properly surveyed, managed, made safe and kept as an amenity woodland? I understand from Lawrence that the Council's primary concern is to dispose of the land in a way which benefits the community and certainly in a way which would not adversely affect the interests of the community or the neighbours to the woodland. My concern is that the current proposed sale has the potential (if done without restrictions) to adversely affect both our property, the Church, Beckingham House and the village generally (the woodland forming an important part of the setting to the church and village). This is because, despite what the purchaser may have indicated, once the land is sold the Council would not, without such restrictions, be in a position to compel the owner to properly manage the woodland.

I am unfortunately on holiday from tomorrow until 20 February however I understand from Lawrence that the matter is to be further discussed at a meeting on 24 February. I am happy to attend the meeting and suggest that a representative from the Church is also invited along with Beckingham House in order that our concerns can be voiced and hopefully assuaged.

Kind regards

Lucie Barber  
The Old Rectory  
Beckingham  
01636 627 097  
0781 676 3928

BECKINGHAM PAROCHIAL CHURCH COUNCIL

2 Hillside Cottages  
Beckingham  
Lincolnshire  
LN5 0RQ

10 February 2016

Mr L Tatton  
Chairperson  
Beckingham Parish Council  
School Lane  
Beckingham

Dear Sir

Many thanks for your recent note outlining in brief what is happening with regard to the sale of the woodland to the south of the churchyard. The Parochial Church Council were very interested to hear that this piece of land may be sold to a third party, and would like to raise the following points:

1. Despite the offer from the PCC to fence the northern boundary of this area of woodland, the PCC would like to make clear that this is an offer made to the Parish Council and cannot be transferred to any other party. If the land is sold, the PCC reserve the right to negotiate any fencing agreement with the new owner and that the current offer is not binding if the land is sold.
2. Due to the current status of the trees contained within this plot of land we would strongly urge you to ensure that the purchaser has the necessary insurance in place from the moment they take possession of the property.
3. We ask you to convey to the new owner that access is currently freely available to all members of the community through the churchyard and through the wooden gates close to the entrance to the Old Rectory. We would not like to see this change as when the Diocese of Lincoln sold the land it was sold with a condition that it remained amenity land for the village.
4. As a PCC we are concerned that any new purchaser of the land may decide to create a new entrance into this woodland. We would oppose any attempt to remove any portion of the stone wall to the east of the woodland as it is, we would assert, the property of the church and is in any case listed for its full length along with the church itself.
5. We believe that the woodland is in urgent need of a proper tree survey and possible works to render it safe. We would ask that any purchaser would be carrying out such work as a matter of urgency and that any workmen possess the necessary insurance to protect both members of the public using the church and visiting the gravestones contained within the churchyard.
6. The church would consider any request from a third party purchaser for access to maintain the woodland on its own merits. Whist we would look favourably upon requests for access

to maintain the woodland, requests would only be considered in so far as they are requests for access to maintain and not for any other purpose.

Whilst we wish you well with your prospective purchaser we thought it important to outline our position with regard to the proposed sale. If you have any queries about our stance then please feel free to come back to us.

Yours sincerely



Jean Martin  
Clerk to Beckingham Parochial Church Council

pp. Mark Leggott  
Churchwarden  
All Saints Church  
Beckingham