

WELSH CHURCH ACT ESTATE COMMITTEE

MINUTES of a meeting held on 25th October, 2006.

Present: Councillor F.T. Johnson (Chairman); Councillors E. Hacker and C.L. Osborne.

469 APOLOGIES FOR ABSENCE -

These were received from Councillor Mrs. M.E.J. Birch (Vice-Chairman); Councillors Mrs. M. Kelly Owen, W.C. Vaughan and S.T. Wiliam.

470 MINUTES -

RESOLVED - T H A T the minutes of the meeting held on 18th September, 2006 be approved as a correct record.

471 DECLARATIONS OF INTEREST -

No declarations were received.

472 EXCLUSION OF PRESS AND PUBLIC -

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

473 PROVISION OF ESTATE SERVICES (EXEMPT INFORMATION - PARAGRAPH 21) (DFICTP) -

The Committee was informed of the terms of the quotation which had been received for the provision of estate services by external agents. At the meeting on 18th September, 2006 (Minute No. 328) the Trustees had resolved that costings be obtained for undertaking a physical audit of the Estate and for undertaking of outstanding rent reviews in respect of holdings where rent reviews were due.

The officer reported that the number of firms within the locality with the qualifications and experience to undertake such work was limited and after taking due regard to present and potential future conflicts of interest only one firm had been invited to quote for the work. In the circumstances the Committee was advised that given the likely value of the work it was not

incumbent on the Trustees to attempt to seek further quotations. Bruton Knowles a firm well versed in the sort of work that was proposed had submitted two proposals for the packages of work:-

- to inspect each holding to establish correct boundaries and occupational evidence and report thereon a fixed fee of £2000 inclusive of office disbursements but exclusive of VAT was presented
- to initiate and undertake rent review negotiations in respect of each holding as separately instructed, the appropriate notices having been served by the Trustees legal advisors a fee of £450 for each review including disbursements but excluding VAT was presented.

Members were further advised that should any review require arbitration or some other form of third party determination the additional work would be charged at an hourly rate which currently stood at £95 exclusive of VAT. Disbursements would also be recharged. Members were further advised that with cases of agricultural occupation it was particularly important that the proper notices were served in the correct manner and with due regard to statutory time limits. Separate costings would, therefore, be required for this and as such the Trustees legal advisors be requested to provide quotes.

RESOLVED -

(1) T H A T Bruton Knowles be appointed as follows

- to inspect each holding to establish correct boundaries and occupational evidence and report thereon at a fixed fee of £2000 inclusive of office disbursements but exclusive of VAT
- to initiate and undertake reviews at a fee of £450 for each review including disbursements but excluding VAT.

(2) T H A T the Trustees independent legal advisors, Geldards, be engaged to provide the necessary legal advice in relation to the service of notices as detailed in paragraph 5 of the report on the same fee basis as the current arrangements in relation to the matter of Rectory Farm.

(3) T H A T a further report be presented to the Trustees in respect of land that was not currently utilised.

Reasons for decisions

- (1) In order to progress the matter.
- (2) To ensure a consistency of approach.
- (3) To apprise Members.