

No.

## WELSH CHURCH ACT ESTATE COMMITTEE

Minutes of a remote extraordinary meeting held on 14<sup>th</sup> March, 2022.

The Committee agenda is available [here](#).

The Meeting recording is available [here](#).

Present: Councillor P. Drake (Vice-Chair), J.E. Charles, G.A. Cox, R. Crowley and S.T. Wiliam

### 958 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Assistant Democratic Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

### 959 APOLOGY FOR ABSENCE –

This was received from Councillor M.R. Wilson (Chair).

### 960 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 31<sup>st</sup> January, 2022 be approved as a correct record, subject to Councillor J.C. Charles wishing to clarify the context in which she had made some comments during the debate of Agenda Item 8 – ‘Land at Glebe Fields, Sully – Town and Village Green Inquiry Application.’.

Councillor Charles advised it had not been clear to her why the appointment of a barrister would be necessary in progressing the matter, and she had understood it to be implied that a barrister would be appointed if Trustees disagreed with Officers’ recommendations. The Monitoring Officer had subsequently contacted Councillor Charles and had clarified that this was not the case, and the Councillor concluded by stating that the minutes set out the matter clearly.

### 961 DECLARATIONS OF INTEREST –

No declarations of interest were received.

### 962 LAND AT CASSY HILL, CADOXTON (CX) –

The report provided an update following the last resolution of Committee in January, 2022 to defer their decision regarding the matter in order that Members had the opportunity to inspect the site in question and to allow time for the applicant and

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residents of Church Terrace to submit further information in support of their respective positions.

The Operational Manager for Property confirmed that Trustees wishing to visit the site had now had the opportunity to do so, and papers had been submitted to the Assistant Democratic Services Officer by interested parties which were attached at Appendices A & B to the report. All parties had confirmed that they had no objection to the papers being presented to Committee under Part I of the agenda. The Assistant Democratic Services Officer advised that an additional representation had been received from the applicant which had subsequently been circulated to Trustees and published on the Council's website as supplementary information to the agenda item. The residents of Church Terrace had been notified of the supplementary information and afforded the opportunity to submit an additional representation of their own should they wish to do so, although no additional papers had been received by the Officer prior to the meeting.

Legal advice confirmed that if Trustees chose to proceed with the existing proposal of selling to the original applicant or to go to sealed bids (i.e. invite bids from all interested parties), they would not be in breach of their duty in relation to charity law or to act in accordance with the Qualified Surveyors Report. The report therefore requested that Trustees, in light of their visit to the site and the representations received from all parties, confirm how they wished to proceed.

Following the presentation of the report, Officers responded to Trustees' queries as follows:

- The only offer received to date had been from the original applicant. At present there were no other offers received.
- There would be no obligation on Trustees to proceed with any disposal of the land if that was the decision of Trustees, however there would be ongoing maintenance responsibilities for the Trust if a decision were made to retain the land.

Trustees who had been able to attend the site confirmed that a visit had been useful as it demonstrated the difficulties regarding access to the area and for vehicles turning in order to exit the area, but also highlighted difficulties that could arise through the land being blocked off in any way.

Trustees were in agreement that a sealed bids process would be fair as it afforded all parties, including the original applicant, an opportunity to submit a bid for the land, with the Trust then able to proceed with the bid which presented best value to them. Trustees also understood residents' concerns regarding another party owning land which provided access to their properties, and agreed that their resolution should stipulate that existing rights of way or access were not to be restricted regardless of which party was purchasing the land.

Having fully considered the report and attached representations, it was subsequently

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RESOLVED –

(1) T H A T the Operational Manager for Property be instructed to invite sealed bids from the original party and the home-owners along Church Terrace for the purchase of the land.

(2) T H A T delegated authority be granted to the Operational Manager for Property to accept the highest bid and agree Heads of Terms for the sale of land (to include the preservation of the right of way for access to the properties on Church Terrace) and to instruct the Monitoring Officer/Head of Legal and Democratic Services and Operational Manager for Legal Services to prepare and complete the necessary legal documentation to effect the disposal of the land to the successful party.

Reasons for decisions

(1) In order that all affected parties, including the original party, are afforded the opportunity to submit a sealed bid for purchase of the land.

(2) In order that a sale can be progressed following the conclusion of the sealed bids process.