

**Swillington Educational Charity**  
**Minutes of meeting held Wednesday 6th February 2013**

**Present:**, Councillor Ian Wallace ,Chair, Councillor Judith Woodhead, Councillor Mark Dobson, Susan Wheeler, Gill Weatherhead, Jan Pettitt, Ken Watson, Margaret Forth (Minute taker).

**1. Apologies:** Reverend Canon Rosemarie Hayes

**2. Minutes of last meeting:**

were proposed and seconded as a true record and accepted by the meeting.

**3. Matters Arising.** None

**4. Appointment of LCC Nominated Trustee:**

Councillor Mark Dobson completed the forms confirming him as a the Leeds City Council nominated Trustee for the SEC.

**5. Report of discussion with Charity Commission:**

Councillor Ian Wallace informed the meeting that the answers to all queries are on the Charity Commission website and that when a decision about future is reached they can be contacted with specific requests

**6. Report on Sales Enquiries:**

**6.1** The only formal response is from Beech Tree Developments Ltd. who propose the SEC selling the site for a nominal £100 and they will then build 6, 2 bedroom apartments and refurbish the Old School for use by the community. (Full details attached to minutes).

**6.2** Councillor Ian Wallace said it was important to explore all reasonable proposals but a Chartered Surveyor would be needed to give a valuation and the SEC would need legal representation.

**6.3** Councillor Mark Dobson offered to act as a 'conduit' for the developers in seeking initial response from Highways and Planning about feasibility of the scheme. Councillor Ian Wallace will inform Beech Tree Developments of this.

**7. Demolition and Reclamation:**

The preferred demolition company have said that it would cost approximately £500 to deal with asbestos found in the survey if demolition goes ahead..

**8. Bank Mandate:**

**8.1** The 3 Trustees went to Bank who were short staffed and unable to deal with change. Appointment made to take mandate on 14th February.

**8.2** Margaret Forth was formally proposed as Minute Secretary by Councillor Mark Dobson , seconded by Councillor Judith Woodhead and this was agreed.

**9. Transfer of Investment Funds:**

**9.1** Councillor Tom Murray has instructed that the investments be sold and the deposit account closed. He has said he will forward any documents relating to the Charity as soon as possible.

**9.2** £600 from the deposit account was paid into the current account yesterday.

**10. Location of Deeds:**

**10.1** Outcome of land searches is that the land is not registered with the Land Registry. This is not unusual with older properties/land unless change of ownership etc has taken place since around 1960. The land can be registered, if need be, free of charge. This can be done when we decide the final outcome.

**10.2** Searches of old records available revealed that part of the land was valued at £2400 in 1981 and sold that year to Swillington Parish Council for £2500 for the purpose of building a Community Centre. The income generated was to be paid into the Trust Fund. From the Conveyance document obtained from Leeds City Council it is obvious to see that the sale was conducted by the Charity Commission (CC) . Which means any sale or alteration of use of the remaining land and buildings would probably have to be carried out the same way.

**10.3** The dates of the sale tie in with the change of name from 'Trust' to 'Charity', setting up of the present Governance document referred to as 'The Scheme' and registering with the CC. The Land and Trust Fund is vested in the Official Custodian of the Charity Commission. Information on the CC web site stresses the site and buildings must be valued by a Chartered Surveyor and the best price obtained for the Charity Trust.

**10.4** If the buildings and land are to be sold for less than best value advice should be sought from the CC. This is usually when the land or buildings are sold to another Charity or non profit making group.

**10.5** In either case the trustees would have to have legal representation.

**10.6** Further historical information on the Parochial School is stored at the West Yorkshire Archive Service (WYAS), Morley Branch. Title: SWILLINGTON ST MARY, PARISH RECORDS. Catalogue Finding Number: RDP99. Under the sub heading Charities items 45 – 53.

A complete list of Church and Parish documents can be found on the WYAS web site using the above record number.

**10.7** The Trustees would like to thank Mrs Susan Wheeler for her assistance in retrieving information from the Church Archives.

**10.8** As a result the Trustees should have enough information to approach the CC when the final outcome is agreed. Funds held as a permanent endowment but if less than £1000 annual income and less than £10,000 in accounts can use without recourse to Charity Commission.

## **11. Insurance:**

Councillor Ian Wallace contacted a CC recommended Insurance firm, aQmen of Surrey, and they were unable to find any cover for Fire or Public Liability. Email records with minutes.

## **12. Public Meeting:**

Still not possible to set date for this until all information available.

## **13. Any Other Business:**

**13.1** It was agreed that there should be no press statements until all information available.

**13.2** Thanks were given to Councillor Ian Wallace for all his hard work and it was stressed that he should be fully reimbursed for payments made to Land Registry for searches and for the hiring of lights needed to clear the buildings.

**14. Date of next meeting:** To be agreed with Reverend Canon Rosemarie Hayes and circulated asap. Confirmed as Thursday 7th March, 2.00 pm. in Church

Signed \_\_\_\_\_

Chairperson

Signed \_\_\_\_\_

Minutes Secretary