

SWILLINGTON EDUCATIONAL CHARITY

AGENDA

- 1. DETAILS OF OPTIONS**
- 2. ARRIVAL AT DECISION**
- 3. CURRENT POSITION**
- 4. QUESTIONS**

HISTORY

In November 2011 the Trustees resigned en block and abandoned the buildings. It was not until June 2012 when a letter was received by the clerk at G & L Preston Parish Council requesting who their nominated Trustee was that the seriousness of the situation came to the fore. Mrs Wheeler from St. Mary's Church visited to meet the Clerk and Chairman and explain that all the groups using the building had left due to the insurance company refusing cover. In the months between April 2012 and June 2012 some members of the Church committee became concerned at the dangerous state the buildings were left. The present trustees are extremely grateful to the ladies who, amongst other things, organised access to the bank account to fund emergency safety repairs and pay the final utility and service bills. The Charity funds at end of March stood at £544 current account, and around £4000 in investment accounts. After outstanding bills, essential public safety repairs, meter removal and boarding up was done the funds were down to £800 and £2000. The ladies also forced the hands of the responsible bodies to resurrect a legally constituted body of Trustees. Unfortunately but not unexpected, due to the personal liability and responsibility of the office of Trustee, there was little interest in either parish to take up the co opted positions. The body of Trustees were eventually nominated by their respective Councils. The persistence of the ladies of the Church is to be commended.

The first emergency meeting took place on 12 July 2012 with a Councillor from each Parish and 4 representatives of the Church.

Cllr Ian Wallace was officially nominated to represent Great and Little Preston at the July meeting of the PC.

Two further meetings took place in August and September before finally enough interest was raised to get the required three nominated Trustees and the Rector of Swillington as ex Officio Trustee to form the minimum required number of Trustees to elect officers. (see below)

Notes were taken of these meetings.

At the September meeting it was decided that, although not obligatory, the Trustees meetings would be open to the public but only the Trustees could vote on decisions.

The first Trustees meeting proper was held on October 22 2012

The first step for the Trustees was to elect officers, resolve that agendas, minutes and financial records be kept in accordance with the Charity's governance document known as the scheme.

Canon Reverend Rosemarie Hayes Ex Officio as Rector of Swillington was elected Chair person

Cllr Ian Wallace nominated from Great Preston Parish Council

Cllr Judith Woodhead nominated from Swillington Parish Council.

Although not present Cllr Andrea McKenna had agreed at a previous meeting and by email to represent Leeds City Council.

The three Trustees present signed the declaration and acceptance of office, Mrs Margaret Forth kindly agreed to be minute taker at the meetings. Councillor Wallace was charged with starting and the upkeep of the minute book and financial records.

The first priority was to try to get the minimum insurance cover for fire and public liability. Two brokers were contacted and both failed to get any company to offer insurance cover for the buildings the reasons being that of the condition and the fact that they were not being used and unoccupied. This left the trustees vulnerable as they were now personally responsible.

Cllr Woodhead would look into sale or refurbishment

Cllr Wallace would get quotes for demolition and reclamation.

SALE

Eddisons the Estate agents said they could probably sell the site for development but there may be planning issues.

Other estate agents wanted to charge for a valuation.

REFURBISHMENT

Two written quotes for refurbishment were obtained, estimating costs at between £140,000 and £180,000 for EACH building.

A verbal quote from Allbuild, West Yorkshire suggested adding another floor to Old School and said cost would be in region of £150,000 to £200,000 and additional cost to upgrade School House.

The builders McQuade failed to turn up to view the site.

Obviously refurbishment was out of the question. Time was not on the side of the Trustees .

DEMOLITION.

Four demolition quotes were obtained and varied from cost to the charity of £10,000 plus VAT to one of a payment to the Charity after reclamation of £6,000, although this did not include removal of services or any asbestos.

Due the unsafe condition and security of the buildings it was decided demolition was the only option. The idea being to opt for the £6000, retain the perimeter wall and the land retained for community use.

As required by law, before any refurbishment or demolition, it is the owners responsibility to arrange an asbestos survey.

Before this could be done the buildings had to be cleared. The School House had become a dumping ground. Two skips were arranged and filled at the end of December 2012. The

Trustees would like to thank Mark from the uniformed groups for his assistance and especially the Church ladies for providing the well earned tea & bacon butties .

The Asbestos survey must be carried out by an accredited company. Four quotes were obtained and it was agreed to go with All Clear Solutions Limited. On paper not the cheapest quote but a guaranteed price with a required number of samples taken. Other quotes there was a extra charge per sample. The survey had to be a destructive survey hence certain areas of the floor, wall and ceilings were "accessed" The cost of the Survey was £660. The report is available to view.

Another requirement prior to disposal was to get a building survey. This was carried out by a Chartered Surveyor employed by Right Surveyors Yorkshire Ltd. The cost of the survey was £350.

Incidental costs at this time totalled £126 which included unsuccessful land and deed searches to establish ownership and hire of site lighting for inside the School house, a Health and safety requirement when clearing out the rubbish.

At this point the Trustees had no option but transfer the funds from the Investment Accounts into the Current Account and close the two Investment Accounts.

In January 2013 Cllr Mckenna withdrew her offer to become a trustee. Leaving the Charity with the minimum required to form a quorum.

Following an article in the Rothwell Advertiser four enquiries were made regarding buying the site. Two did not follow up but two developers maintained an interest. Almax and Beech Tree, both parties were asked to submit their offers. Despite the personal liability of the Trustees, this was an opportunity to maybe save at least some the historical buildings.

Almax declared an interest in refurbishing an use as two family homes.

Beech Tree would knock down the house to build six two bedroom properties and refurbish the school for community use.

In February 2013 the two Investment accounts were transferred giving the Trustees, after above survey and incidental payments, total available funds of £1670.

Councillor Mark Dobson agreed to replace Cllr McKenna and represent Leeds City Council as their nominated Trustee. He signed the declaration and acceptance of office. Confirmation from the Area Committee as an appointment to outside bodies would be required and was duly applied for.

The only offer regarding the sale of the site came from Beech Tree. For a nominal fee they would buy the freehold, build 6 x 2 bed apartments and refurbish the school for community use, leased to, possibly, the Parish Council on a long lease.

In March 2013 the Trustees agreed to get Legal representation. It was decided to instruct Ison Harrison of Garforth to act on behalf of the Charity. The reason for selecting the firm was that they represented the Parish Council in 1981-82 when the Charity sold part of the land to build the Community centre and it was thought they may have old records or the deeds.

Beech Tree were asked to draw up the plans etc. and meet up in April. To discuss.

On April 2 a meeting took place between the Trustees and Beech Tree where it was agreed to grant an eight week exclusivity period to Beech Tree. The agreement was signed by the three trustees present, Cllrs Woodhead, Wallace and Rev Hayes.

During the eight week period the Charity was contacted by Almax who were informed no discussions could take place until after the 8 weeks.

After the 8 weeks period was over Beech Tree were informed of the interest of Almax who in turn were given an exclusivity period to investigate planning and others issues.472013-2982013

In May Cllr Woodhead was confirmed by Swillington PC as nominated Trustee
On May 30 a was letter received from Beech Tree stating it was not viable to retain the whole of the School Hall but could retain part. This was rejected by the Trustees as the proposed room would too small and not be fit for purpose.
They were reminded that they had agreed on April 2 to give an alternative quote for total demolition.

On June12 Beech submitted a revised offer.

Both Parties were invited to give their best and final offer,

The sealed bids were opened at the July meeting and it was decided unanimously by the four Trustees to accept the bid from Almax on the grounds that the two historical buildings would be retained. This was subject to an early meeting with a representative on LCC Planning. The sale was also subject to contract.

A site meeting was arranged with a planning officer and his comments were encouraging in so far as the planners would be keen to keep as much of the original buildings as possible.

The Charity's solicitor was instructed to proceed with the sale.

Councillor Dobsons nomination as LCC nominated Trustee was confirmed by Area Committee on July 02.

No meeting in August.

Almax were given permission to secure the buildings and fix parts of the roof that were unsafe and make the buildings water tight.
They were issued with a disclaimer as the buildings were not insured and any work carried out was at their own cost and risk.

The Solicitor had obtained a copy of the 1905 deeds signed by Sir Charles Bingham Lowther and Rev Bergheim. At a cost of £60 These were the same deeds used to sell part of the land to build the community centre in 1982.

The solicitor confirmed what we already knew that the land was not registered!
On October 1 the contract and documents were sent to the buyers solicitor who in return requested the Charity register the land for the first time. This requires a statement of truth signing to say the Trustees have done all in their power to locate any deeds and documents.