

Coles', Moorpool & The Eyre St Thomas Day Charity Minutes

Minutes of the meeting of Rampton Parish Council acting as the Corporate Trustee, together with the co-opted Trustees of the above charity, held on the 20th January 2020 at Rampton Village Hall, Manor Grounds, Rampton, DN22 0JU. The meeting commenced at 7:00pm.

Present	Sue Kyle	Corporate Trustee Chairman
	Libby Hauton	Corporate Trustee Vice-Chair
	Felicity Ferriter	Corporate Trustee
	Selena Eyre	Co-opted Trustee

Also, present Ed Knox, Clerk/Responsible Financial Officer

79 To Approve Apologies for Absence

After discussion, the Trusteeship **resolved to accept** the apologies Gary Dinsdale who is away on holiday & Berry Bullimore who is working away on a training course on the south coast.

80 To Approve Minutes of the Previous Meeting

After discussion, the Trusteeship **resolved** to accept the minutes. The chairman signed the minutes of the previous meeting as a true and accurate record.

81 Declarations of Interest

None.

82 To Approve the Final offers from Tarmac Ltd regards former quarry Moorpool land at Torksey Ferry Road

The Clerk advised the need for this urgent meeting. Tarmac have sent their final offer through to David Walker Ltd. The land-swap no longer exists, it is now a land-sale, between Tarmac and the Parish Council as the Corporate Trusteeship of Coles', Moorpool & The Eyre St Thomas Day Charity in respect of the sale of the area of Pond which, prior to the quarry, was the ½ acre Moorpool field. The pond is shallow and home to an invasive plant species from New Zealand and baby Gt Chrested Newts. It cannot be utilised for anything for the charity to make any further income. There's no potential for cattle grazing around the pond due to badgers in the vicinity, the pond is too shallow for a potential fishing club to access and cannot be excavated further due to the Great Chested Newts. Therefore, the sale of the Moorpool is a potentially acceptable option, for the trustees to agree upon.

The trustees discussed the future of the pond area and that it will continue to be a wildlife area either owned by Tarmac or whoever Tarmac sells/donates the area too. The County Council is heavily involved in its care with restrictions over what can or cannot be done with the area, including an annual site meeting with the owner of the land.

The Charity Commission advice that "the Capital raised from the sale of the Moorpool must be regarded as a 'permanent endowment' and therefore the capital sum from this land must be set aside forevermore and the income generated from this endowment must be used for 'general charitable purposes'. The income specified for general charitable purposes must not benefit one group of people, therefore spending it specifically on a, school, children, the elderly, the ill/disabled etc is not suitable. It must generally benefit the community in general. Therefore, maintenance or provision of a Village Hall, a park, recreational facilities and other items which can be appreciated by all etc are suitable options.

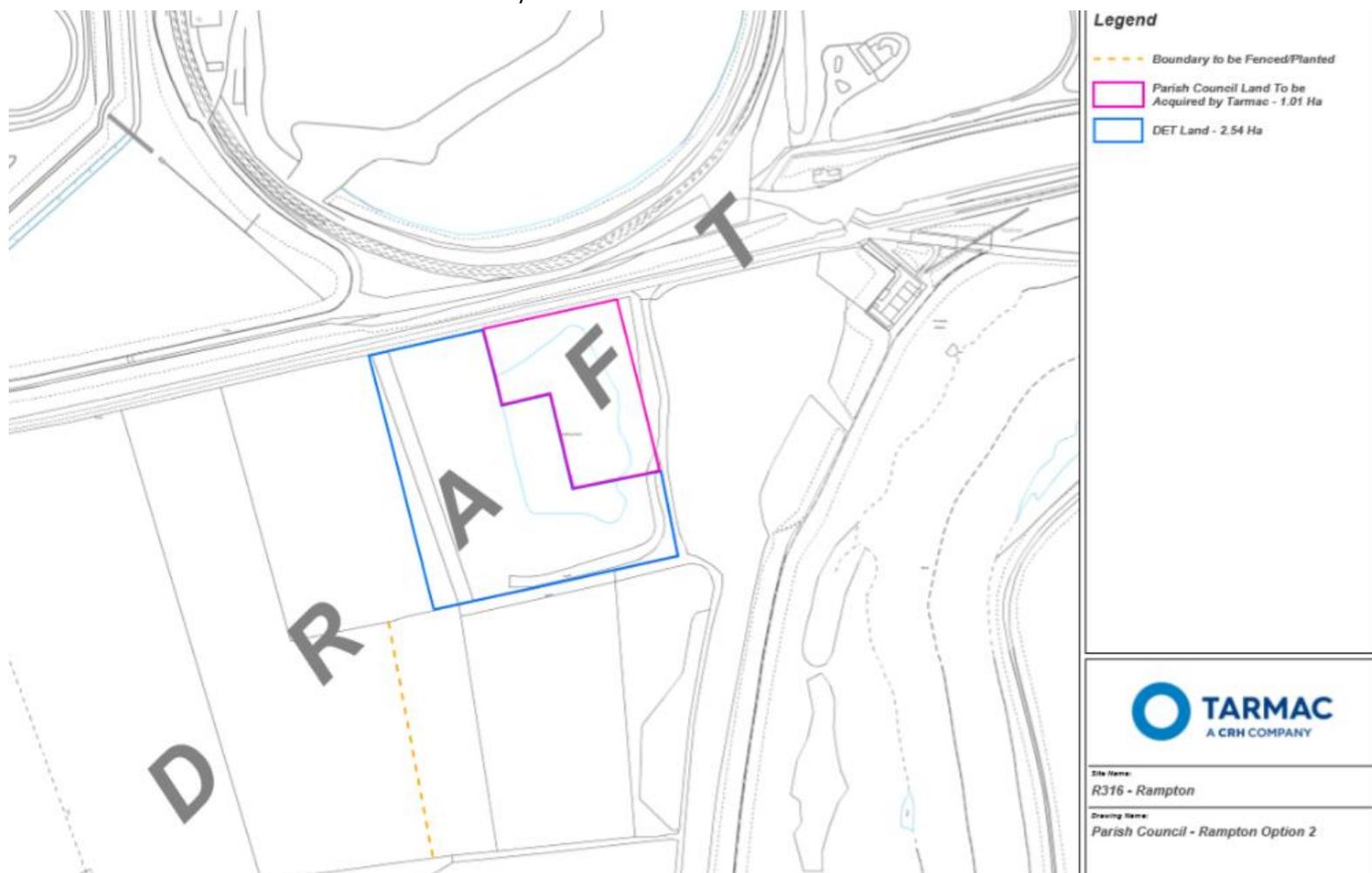
Tarmac Ltd propose to acquire the land/area under the lease dated 18 March 1996, which has been restored to water based nature conservation. Tarmac Ltd propose to acquire the land shown edged in pink on the plan below, 2 acres of which belongs to Rampton & Woodbeck Parish Council and is the former Pinder of Rampton field and ½ acre which belongs to Coles', Moorpool & The Eyre St Thomas Day Charity and is the former Moorpool field. Tarmac offer £3,000 per acre, a total of £7,500 (£1,500 for the Moorpool & £6,000 for the Pinder) therefore Rampton & Woodbeck Parish Council shall receive £6,000 and Coles', Moorpool & The Eyre St Thomas Day Charity £1,500.

The balance of the Parish Council land on the left of the map will be returned to the Parish Council upon termination of the lease. No additional land will be provided to the Parish Council or the Charity. The land returned on the left-hand side of the map, to the Parish Council is the same size as the original Surveyor of the Highways field and does not contain the badger sett. The hedge which Tarmac originally placed in the wrong location, is to be replanted at Tarmac's cost upon acceptance of these terms. Indicated by the orange dotted line on the map.

Tarmac propose to offer up to £2500 refund of legal fees incurred by the Parish Council. However, they were not aware that the total legal fees so far, up to September 2019 are £3,300.20. The Clerk has sent the required copies of these invoices to David Walker Ltd and requested that Tarmac consider upping their legal fee coverage to cover the £800.20 shortfall plus the final estimated legal bill of £1,500, from Foy's Solicitors, which will cover 20th September 2019 to the date of completion of sale of land and termination of the lease. David Walker Ltd were happy to request this of Tarmac, but cannot guarantee they will increase their offer.

Should the Trustees and the Parish Council agree to the offer. It will bring the matter to a satisfactory conclusion and avoid a situation where cost and liability of the water/pond and nature conservation area is upon the Charity and the Parish Council. It also avoids a split of the pond area and nature area between the Charity, Parish Council and the Diana Eyres' Educational Foundation.

Selena Eyre advised that by potentially accepting the offer from Tarmac, the trustees shall have the option that one day in the future, should a suitable piece of land ever come for sale, the charity could look to purchase said piece of land if it is in the best interests of the charity.



After discussion, Felicity Ferriter **Proposed**, Selena Eyre **Seconded** and the Chairman called for a vote and the trusteeship **resolved** to 1) accept the offer from Tarmac for the sale of the Moorpool land to Tarmac Ltd, all 4 trustees. 2) That once the funds have been received, a meeting is called to agree the investment of the £1,500 potentially into the existing COIF Charities Investment Fund with the CLLA so that the Capital is protected forevermore as per the guidance from the Charity Commission and only the profits thereof used for General Charitable Purposes.

83 To note the purpose of Moorpool and agree expenditure.

The clerk advised that $\frac{2}{3}$ of the charity income less administration costs (insurance, stamps, ICO fee), currently £600 is from Coles' & St Thomas Day and meant for helping anyone in need in the parish, including ill health, food, hardship etc and $\frac{1}{3}$ of the charity income is from Moorpool, currently £300 and must be spend in a general charitable way in the parish, an option for this could be for the potential poppy sculpture and parish flower planter costs.. After Discussion, the chairman called for a vote and Trusteeship unanimously **resolved** all in favour to the ring fencing of the Moorpool income for purposes such as this once the need arises for the expenditure.

84

Closure of Meeting

There being no further business, the Chairman thanked everyone for their contributions and closed the meeting at 7:30PM.

Signed _____

Date _____