



Draft Minutes of the Extra Ordinary Meeting of Gnosall Parish Council

held on 23rd May 2022 at 7.30pm in The Grosvenor Centre

Present: Cllr A Mills (in the chair), Cllr R Greatrex, Cllr T Simkin, Cllr K Ingram, Cllr K Johnstone, Cllr D Webb, Cllr G Payne, Cllr G Gregory, Cllr P Alker, Cllr S Powell, Cllr M Booth, Cllr C Emsley, Cllr Holmes and J Cooper Clerk

Public Open Forum

No members of the public present.

22/071 To receive apologies and record absences

Apologies were received and accepted from Cllr Tomkinson and Cllr Symons.

22/072 To receive any Declarations of Interest

There were no declarations of interest.

22/073 To receive and confirm the minutes of the last annual meeting of Council held on 9th May 2022 and the Extra Ordinary meeting of Council held on 16th May

Subject one minor amendment, the minutes of the annual meeting held on 9th May were approved as a true and accurate record. The minutes of the extra ordinary meeting held on 16th May were approved as a true and accurate record.

22/074 To consider any matters arising from the minutes not covered elsewhere on the agenda

There were no matters arising raised for either set of minutes.

There were no members of the press or public to exclude from the meeting.

22/075 To discuss the sale of Severn Trent land adjacent to the allotment site and associated matters

Councillors had previously received a report detailing action taken since the last meeting held on 16th May.

The Clerk had communicated with the agent working for Severn Trent Water (STW) several times to reiterate the council's concerns about land ownership including the possessory title on the access track and two parcels of land that are included in the land being sold by STW that are believed to be owned by the Parish Council. The Clerk had also requested STW to gift or sell the land to the parish council for community use, predominantly allotments, and this would support STW funding criteria on improving community wellbeing, creating projects that create better places to live and projects that look after the natural environment.

The Clerk had communicated with the council's solicitor, Hand Morgan & Owen to request the land is registered with land registry and to take matters up with STW's solicitors regarding the unresolved issues of land ownership.

The Clerk had obtained advice from the District Valuer and from Staffordshire Parish Council's Association regarding the rules around parish councils purchasing land.

The Clerk, Chair and Vice Chair of Resources had met to review the council's finances and had determined that some of the reserve funds, set aside for emergency expenditure could be used to purchase the land. By purchasing the land, the council would be protecting it from development and would, in time, use it for the benefit of the local community.

The Chair reported he had emailed the CEO of STW and how by gifting/selling to the Parish Council could be mutually beneficial.

Based on the information shared, councillors were asked to comment. From comments raised the Clerk was asked to:

- Seek advice whether or not there is way of preventing land being sold at an auction that does not belong to the seller.
- Clarify the rules regarding an easement particularly does an easement transfer with a sale
- Ensure a gate is erected at the entrance to the allotment track and locked with access only for allotment tenants to the allotment site and STW personnel to the pumping station.
- Contact Land Registry regarding the possessory title that STW had obtained on half of the access track without notifying the Parish Council.
- Send documents dating back to 1910, that may be relevant to this matter, to the Council's solicitor to review.

It was proposed, seconded and agreed that the Council should formally confirm to STW that the Parish Council could buy the land using reserve funds. This was seconded and voted in favour unanimously.

It was proposed that in the event that STW do not withdraw from the auction or do not agree to sell to the parish council prior to the auction on 26th May, that the Parish Council bids at the auction up to the amount identified from reserve funds. This was seconded and voted in favour unanimously. The Clerk explained that there would be a fee to register to bid that would part of the purchase price or refunded if a bid is unsuccessful. This was accepted.

Council was reminded that the water supply at the allotment site belongs to the Parish Council, the former STW water pipe was cut off at the A518 many years ago. Access by utility companies along the track is permissible.

Council also noted that a District Council can acquire land for allotments by compulsory purchase and let to a parish council however this process is lengthy and in the current circumstances, there is not enough time.

The Chair summarised that in the next two days, the Clerk would continue liaising with the agent to further request that the land is taken out of the auction to allow matters to be resolved. Should that not be successful, the Clerk would join the online auction on 26th May and bid up to the agreed amount. Should that not be successful, the Council may then have to address further legal matters if a purchaser buys the land and land ownership matters are unknown to them and/or not resolved and in this case, the Council may have to consider using the services of a solicitor specialising in land matters.

The Chair added that legal matters that the Council consider not to have been dealt with satisfactorily with the current solicitors would be taken up at a later date however, a senior partner at HMO had been made aware of council's concerns.

22/076 To confirm the date and time of the next meeting

13th June at 7.30pm

The meeting closed at 8.30pm