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**ELSTEAD PARISH COUNCIL**

**Minutes of the Extraordinary February Meeting**

**Monday 26th February 2024 at 8pm**

**Held at Elstead Youth Centre**

**Attendees: Cllr P. Murphy (Chair) Cllr J. Jacobs Cllr J. Collis**

**Cllr L. Davidsen Cllr A. Goundry Cllr A. Hampshire**

**Cllr J. Holroyd Cllr M. Lass Cllr R. Muir**

**Mrs J. Williams (Clerk)**

**Cllr G. Long 8 x MOP’s**

**1.0 APOLOGIES FOR ABSENCE**

8519 There were no apologies for absence. **(02/24). Minute to be removed next month.**

**2.0 DECLARATIONS OF INTEREST**

8520 No councillors declared a (a) Personal, (b) Prejudicial interests which they are required to disclose by section 94(1) of the Local Government Act 1972 and in accordance with The Parish Council (Model Code of Conduct) Order 2018. **(02/24). Minute to be removed next month.**

**3.0 Approval of Operating Agreement for Bonfire Hill (questions from members of the public were invited after councillors had had an opportunity to deliberate).**

8521 Cllr Murphy explained that there was a prospective purchaser for Bonfire Hill who wished to remain anonymous. The expectation was that once the sale was completed, Elstead Parish Council would manage the land. The condition of the sale was that there must be vacant possession. Councillors were informed that contracts had been exchanged and that the sale was likely to complete imminently. In turn the property will be made over to a charitable trust that will be administered by the Elstead Parish Council. Councillors were drawn to the first paragraph of the letter which explained that the land was to be used for conservation and charitable community purposes.

It was explained that the draft operating agreement had been checked by Wellers Hedley, lawyers for Elstead Parish Council. Wellers Hedley had made some suggestions which have been incorporated into the final draft. The draft operating agreement had been circulated to councillors in advance of the meeting.

Cllr Davidsen noted that this was a “transient” agreement and asked how long it would be in place. The exact time was unknown however Cllr Murphy felt that it would be several months before the charitable trust was formally set up by the Charity Commission.

Cllr Lass pointed out that some of the land under the Bonfire Hill register was highways land. Cllr Murphy noted that whilst some highways land is owned by an individual, areas can be adopted by the local authority and this is the case for the land along Westhill.

Cllr Lass and Cllr Hampshire referred to part of the contract which stated that “contractors should be used” and both asked whether volunteers could be used for some of the work. The clerk to refer this back to the benefactor’s legal team.

Cllr Murphy explained that The Benefactor had suggested that funds be transferred from themselves to Elstead Parish Council and these monies would be used to help to restore the land to its proper condition. Works would include; the removal of weeds, surface improvement, installation of new gates and fencing, tree survey etc. It was noted that the works were not insignificant.

All councillors raised their hands and 9/9 ratified the draft agreement. Cllr Murphy advised that whilst there was no definitive date for completion it was anticipated that this would happen in days/weeks rather than months.

The meeting was opened to members of the public. Onne resident asked for more detail regarding the charity. Cllr Murphy advised that the benefactor would like to set this up as a charity to which Elstead PC will be appointed Trustees. In this regard Elstead PC will ask as Trsutees and not as a Parish Council and the finance for Bonfire Hill will be kept quite separate to Elstead PC’s finances.

Residents asked what the Trust Deed would entail and whether there would be any wider consultation with residents over how the land would be managed. Cllr Murphy advised that the Trust Deed will set out what the benefactor intends to use the land for. Cllr Murphy highlighted again that it was anticipated that the land would be used for charitable community purposes and conservation. Within these parameters Elstead PC will need to determine what will happen. Cllr Murphy added that some grazing would be necessary and that there would be a consultation. Improvements would be needed to be made to ensure that the ROW was accessible to all. Cllr Murphy reported that there was an area of woodland included within the land title and that some works would be required. Cllr Murphy added that there would be no general tight of access with the exception of sledging in the winter as the land needed to generate an income to cover the costs of maintaining it.

Cllr Murphy added that the emerging Neighbourhood plan designated the two adjoining fields as a local green space to protect them from future development. Further works such as laying a water supply will also need to be taken into consideration.

There were no further questions and the meeting was closed.

**Meeting closed at 8.15pm**