

# STADHAMPTON PARISH COUNCIL

Clerk & RFO : Michael Pawley – Nelhurst Cottage, Copson Lane,  
Stadhampton, Oxford OX44 7TZ

01865 400857      07795 180795  
*clerk@stadhampton.org*

BY HAND AND E-MAIL: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

Dear [REDACTED]

Thank you for your e-mail dated 27 November 2018 where you requested information about the unregistered land known as Allotment 13.

We have now completed searching for the information you requested. For ease of reference I will deal with your requests in order, numbering them 1 through to 7.

Request 1: We can confirm that we hold information recording monetary costs from October 2017 to date. In connection with the two applications made to the Land Registry during the period to December 2018 the Parish Council has spent a total of £3,466.00 on legal fees and associated disbursements (net of VAT recovered).

We cannot provide details of ongoing liabilities at this stage because we do not know what these are.

Requests 2 and 3: The information you have requested is not held by the Parish Council. The Parish Council is not required to nor have they recorded this information. The Parish Clerk has not been paid any overtime.

Request 4: The information you have requested is not held by the Parish Council no such meeting having taken place on the 20th January 2018. The Parish Council believe you are actually referring to an informal meeting that took place on the 26th January. As this was an informal meeting, so not a meeting where the Parish Council would be capable of agreeing anything, no minutes were taken. Please, however, see redacted notes dated 16th March 2018 referring to the informal meeting.

Requests 5 and 6: The information you have requested is not held by the Parish Council, the Council at no time having declared that they do not own Allotment 13.

Request 7: As of the date of your request the information sought falls within the exemption at section 22 of the Freedom of Information Act 2000 and is therefore withheld. Applications lodged with the Land Registry become a matter of public record on completion.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

The Chairman, Stadhampton Parish Council, Nelhurst Cottage, Stadhampton, Oxford OX44 7TZ (e-mail: [cllrstephendawson@stadhampton.org](mailto:cllrstephendawson@stadhampton.org))

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Pawley', with a stylized flourish at the end.

**Michael Pawley**  
**Clerk & RFO**

Stadhampton Parish Council

ALLOTMENT 13/ALLOTMENTS GENERALLY- Update 16<sup>th</sup> March 2018

There was an item at the Parish Council meeting held on January 16<sup>th</sup> 2017, 004/18a re a request made by Mr & Mrs Davis (just before Mrs Davis became a Parish Councillor) about the sale of Allotment 13. Following a detailed discussion, it was agreed that:

- The SPC could not consider the sale of the allotment at this time.
- That annual leasing for Allotments would remain in place.
- That allotment 13 would be cleared by the SPC.

After this Mrs. Davis agreed that she now wished to apply to hire Allotment 13.

During the course of this discussion SPC reported that there appeared to be an anomaly with the registration of the allotment 13 land and that the SPC had instructed its solicitors to rectify this. Given the current climate in property development, the SPC had been advised to register the land by its solicitors to protect it. This application for registration was in progress, however on 21<sup>st</sup> February 2018 Mr. Rupert Davis wrote to the Land Registry making an objection. As a result, further supporting documentation was submitted by SPC and on 16<sup>th</sup> March 2018 this was sent to the Land Registry by Knights, our solicitors. A decision is awaited from the Land Registry.

Following the Parish Council meeting in January, Mr. Davis (RD), who was away at the time of the public meeting, expressed some concerns. At his request an informal meeting took place on 26<sup>th</sup> January with three members of the parish council; DMS, SM and AES. Mrs. Sarah Davis, the only other member at the time, did not attend because of the conflict of interest involved. A number of issues were discussed and there were two points about Allotment 13 that remain unresolved (see below), however, it was agreed that until the registration of the land had been confirmed that no further action could be taken on this matter. The issues were:

1. "Putting an agriculture/allotment tie on allotment 13 to ensure its use as an allotment." At the informal meeting on 26<sup>th</sup> January 2018 all members agreed that some protection was desirable. SM asked our solicitors about this and the advice was that it needs to be done by a resolution at a public meeting (not the Land Registry). *My thoughts would be that if SPC does this, it should probably be put on all the allotments not just allotment 13. It should be noted that this decision could change by the same method if it were in the public interests. See legal advice below re options.*
2. "The SPC rewording the current lease to make it an annual rolling lease with one-way termination tenant only right subject to fulfilling conditions of allotment care." This was raised because RD feels the current wording lacks clarity about the lease being annually reviewed. At the informal meeting in January we had no objection to improving the wording – *(providing it affords protection to the SPC as well as the allotment holder). It is believed that changes to policy like this must be done by a resolution at a public meeting. If required legal costs estimated to be £500.*



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]