

## ARKENGARTHDALE PARISH COUNCIL

Minutes of a public meeting on the future of Arkengarthdale School Building  
held at  
The CB Inn, Arkengarthdale on  
Thursday 9 January 2020 at 7.00pm

### MINUTES

APC     Arkengarthdale Parish Council  
DCC     District Church Council - St Mary's, Arkengarthdale  
PCC     Parochial Church Council of Swaledale with Arkengarthdal  
RDC     Richmondshire District Council

**Present:** Cllr R Good (**Chair**), *RDC*; the Revd C Hewlett, *Vicar of Swaledale with Arkengarthdale/PCC*; Cllr S Stubbs, *Chair to APC*; Cllr P Harker, *APC*; Cllr P Lundberg, *APC*; Cllr R Stones, *APC*; Cllr J Watkins, *APC*; A Bedford, *PCC*; R Ford, *PCC*; the Ven J Gough, *Archdeacon of Richmond and Craven* ; and over 40 members of the public.

**In attendance:** S Dray (*Clerk to APC*)

**Apologies for Absence** were received from Mark Robson, RDC Principle Policy Officer, and Amanda Madden, RDC Rural Housing Enabler.

#### 1.     **Welcome and aim of the meeting**

The Chair welcomed everyone and introduced the speakers.

It was emphasised that the meeting had been organised and facilitated by Arkengarthdale Parish Council in order to inform the community of the current situation with the school building, and to give the community an opportunity to form a group to act to retain the building for the community if it so wished. The Parish Council was not looking to lead a community group on this matter.

Thanks were expressed to The CB Inn for providing the meeting venue.

#### 2.     **Overview of the current situation**

The Chair of Arkengarthdale Parish Council spoke on behalf of the Council, and the following points were made:

- The building had been registered by the Parish Council as an asset of community value with RDC last year. Since the building was now going to be sold, this gave the community the opportunity to enter a six-month moratorium to be treated as potential buyers of the building before it would be placed on the open market. RDC had stipulated a six-week period in which to register an interest in buying the building, with a deadline of 29 January 2020. The details were available from APC.
- The Church was currently the only remaining community building in Arkengarthdale. The Parish Council were of the opinion that if the school building did not continue to

be used as a community building after the sale, then the proceeds from the sale should remain within the dale.

The Vicar of Swaledale with Arkengarthdale explained the position of the Church, making the following points:

- The school building belonged to the PCC. The PCC covered Swaledale and Arkengarthdale and included the four Anglican churches in that area. This was now one ecclesiastical parish. However, when Arkengarthdale school building was originally bought, each of the four churches had its own parish and vicar and governing body. Today the PCC was the governing body with legal and financial responsibility for all four churches. Each church currently had a DCC, which was a “housekeeping committee” with no decision making powers.
- The PCC made the decision to sell the building because of the running costs. It was costing £600 per month (£7200p.a.) to maintain an empty building.
- The church did not have adequate capital or people to run the building as a going concern.
- The building had been valued recently by Charlton’s Estate Agency with a market value/asking price of £185k and would be advertised for sale “for community use” next week.
- There had been no discussions within the Diocese of Leeds or the PCC as yet about the intentions for distributing the proceeds of the sale of the building.

In the absence of a representative from RDC, the Chair read out information provided by RDC on (a) the community’s right to register an intention to bid for the school building and (b) funding possibilities for community groups. Copies of this were made publicly available at the meeting.

### 3. Comments and questions

Questions and comments from members of the public were received and responded to as follows:

- a) A statement on the legal position of the building was made, noting that:
- There was a valid, legally binding trust of 1933 relating to the building. This was registered with the Charity Commission, and required the proceeds to be utilised only within the then Parish of Arkengarthdale.
  - The PCC were the Trustees but had to act in accordance with the trust created.
  - If the building were sold, there was a strong case to be made for arguing that the PCC would be legally bound to ring-fence the proceeds effectively for the Parish Church of St Mary’s.
  - The PCC had no power under the trust to divert money to the Diocese, as had been previously suggested.
  - There was nothing whatsoever in the Pastoral measure (a later document creating the larger parish of the four churches), which disturbed that interpretation.

- b) Could an extension be given to the six week period for registering interest in bidding for the property, to allow time for a group to form?

The Chair responded on behalf of RDC, noting that an extension was not possible but that either he (as District Councillor) or APC would be eligible to register on behalf of a newly formed group.

- c) Did the PCC consider alternatives to selling the building, such as generating future income through hiring the building out to the community for community use?

The Vicar responded that the PCC had discounted the option of hiring out the building as it would require too much work and too much expense to get to a hireable state.

- d) The community was no longer large enough to sustain a community building so were there any funds or interest from the Housing Association to turn the building into housing?

The APC Chair responded that the new, affordable house planned to be built beside the war memorial were more attractive to the Housing Association, who were not receptive to rural housing with a local occupancy clause. In addition, the conversion of an old building tended to be considerably more expensive than a new build.

- e) Could there be some indication of the amount that the PCC was intending to make available for the dale from the sale proceeds?

The vicar responded that the proceeds from the sale of the building were legally required to be used for 'ecclesiastical' or 'educational' purposes.

- f) A comment was made on the need for purpose-built housing for older residents rather than for more holiday homes, and on the suitability of the school building to meet this housing need.

- g) Did the sports area opposite the school belong to the school building?

The APC Chair responded that it had been gifted to the school and when the school had closed APC had returned it to the original owner.

There were no further questions or comments.

#### **4. Summary and ways forward**

The chair asked if there was any interest from the community in forming a community group to develop a proposal for the school building. Two members of the public expressed an interest.

The Chair reiterated that both RDC and APC would support any group with a plausible idea and that RDC would be able to provide support for finding funds. RDC should be notified if a community group formed, and APC should be notified at the next APC meeting on Monday 13 January 2020 at the latest, if the deadline of 29 January was to be met for registering interest in bidding for the building.

The Chair thanked everyone for attending and the meeting closed at 08.05pm.