

WESTON ON THE GREEN PARISH COUNCIL

www.westononthegreen-pc.gov.uk

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Chairman: Mrs Diane Bohm

Clerk: Mrs Jane Mullane

Andrew Woods
Director
Spratt Endicott
52-54 The Green
South Bar Street
Banbury
Oxfordshire
OX16 9AB

24th August 2020

Dear Mr Woods

Ref: Parish Council Purchase of Playing Field and Spinney, Weston on the Green

Weston on the Green Parish Council's finance advisory group are writing to you to request help with some additional information and clarity over issues and concerns regarding the purchase of the playing field and spinney in Weston on the Green by Weston on the Green Parish Council.

1. **Financial Prudency** - the finance group would like to highlight that as we are a public body, utilising public money, we need to ensure that costs are kept to a minimum.
2. **Duchy of Cornwall Solicitor Fees** – given the level of fees expected by the Duchy of Cornwall's solicitor are considerably higher than those expected to be paid to yourselves by the Parish Council, please could you request a breakdown of what the fees may entail as we are almost engaging Farrer & Co, as we are having to cover their costs.
3. **Bill Review** - when Farrer & Co raise each and any bill during or after conclusion of the transaction the Parish Council requires that this is accompanied by a breakdown of time entries. Please can these time entries be reviewed by Spratt Endicott to assure the Parish Council that the fees raised by the Duchy solicitors are reasonable and proportionate to the work undertaken.
4. **Marker of Costs** – due to the open ended nature of fees agreement with the Duchy, please could you request from Farrer & Co that when the fees due to the Duchy of Cornwall in this matter exceed £2,000 + VAT please can they contact the Parish Council in order for us to assess the latest status of the scheme and the financial costs associated with proceeding further.
5. **Refund of Duchy's costs** – please can you confirm for us that the Parish Council will receive a refund of monies held on account if the Duchy legal costs are lower than the initial fee requested of £2,000 + VAT.
6. **Overage Requirements:** Councillor Stafford-Allen has already queried the Duchy of Cornwall on whether the overage clause was time limited and we understand that it is not. If rather than selling the land the Parish Council developed part of the playing field in the future e.g. for affordable housing, would the overage clause still be valid? If so, would the Duchy of Cornwall be expecting to receive an overage payment based on the market value of the development or development value?

Many thanks for the consideration of the above, please inform us if you wish to hold a video call to discuss these matters further or if an email could provide the confirmations required.

Yours sincerely

A handwritten signature in black ink, appearing to be 'RW', enclosed within a circular scribble.

Councillor Ruth Whitfield
Parish Council Finance Advisory Group Lead