

Town Clerk | Swaffham Town Council

From: Stan Sole <stan.sole@oxford239.plus.com>
Sent: 07 February 2019 20:21
To: Town Clerk | Swaffham Town Council
Subject: Re: Day's Field

Thanks Richard.

11.30 am Friday will be fine.

See you then,
 Stan.

From: Town Clerk | Swaffham Town Council
Sent: Thursday, February 7, 2019 4:44 PM
To: Stan Sole
Subject: RE: Day's Field

Hi Stan,

I can do a meeting around 11.30am Friday morning 8th Feb (tomorrow), I will have the copies ready for you.

If you can't make it, I can do some of the other times you have suggested.

Best regards,

Richard Bishop
Town Clerk



Swaffham Town Council, Town Hall, 4 London Street, Swaffham, Norfolk, PE37 7DQ
 Tel **01760 722922** Fax **01760 720469** www.swaffhamtowncouncil.gov.uk



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From: Stan Sole <stan.sole@oxford239.plus.com>
Sent: 07 February 2019 14:08
To: Town Clerk | Swaffham Town Council <townclerk@swaffhamtowncouncil.gov.uk>
Subject: Re: Day's Field

Hi Richard,

My apologies for not replying to your email – I had no intention of being discourteous and had just accepted that there would be a further delay. I am happy to pay the £1.60 charge for the photocopies and will pick them up from the Reception desk.

Re meeting with you to help clarify a few points I'm happy to do that also. I could come in tomorrow Friday 8 Feb, Tuesday a.m 12 Feb, Wednesday a.m. 13 Feb, Monday 18 Feb am or pm, Thursday 21 Feb am or pm, should any of these dates suit your schedule.

Cheers,

Stan.

From: Town Clerk | Swaffham Town Council

Sent: Thursday, February 7, 2019 11:01 AM

To: Stan Sole

Subject: RE: Day's Field

Hi Stan,

If you could give me the courtesy of a reply to this e-mail, as I can now partially meet your request. I am now in possession of the first three documents that you have requested as follows:-

Lease – H. W. Day to Swaffham Local Board of Health (LBH). 5-7-1888. 8 years. 5a.30p. area. Inclosure map 1869 nos. 444, 445, 446, 447. Conditional on that the land is only used for allotments under 1887 Act.

Deed of Enfranchisement – Hamond & Hamond to Julia Day. 27-5-1899. £13-1s-2d paid by the tenant (Swaffham Urban District Council (SUDC)). Numbered 444, 445, 446, 447 as per map. SUDC now holds freehold instead of copyhold as before.

Conveyance – Mrs. Julia Day (widow of H. W. Day) to SUDC. 22-1-1900. 10 shillings paid by SUDC for this land as if the SUDC had purchased the land for use under the 1887 Allotments Act. Profits from allotment rents to be used to provide coals for the poor.

The cost you will need to pay is £1.60 as there would be 8 A3 photocopies at 20p each. If you confirm that you are prepared to pay this amount, I will arrange for copies to be left at the Reception desk.

What I don't have is an estimate for the legal opinion or the source of what you are quoting from in respect of the paragraph that commences 'On 1 February 1899, SUDC expressed opinion...' If you could clarify the source of your quote, I will be able to establish a cost for the legal opinion in due course. This would be similar in respect of taking opinion on documents that may have superseded the three that you have requested.

The latter point you appear to be questioning whether the Town Council as owners of the land on behalf of the Town, can ever use the land for any purposes other than allotments? This of course was answered by the then Secretary of State Hazel Blairs in granting a Section 8 permission for the Town Council to dispose of the land back in 2005, with pre-conditions to improve the retained allotment sites.

The Town Council has to go through a best value exercise, hence why three options for disposal remain on the table, each one will benefit the inhabitants of the Town. With best value though, whilst the financial aspect is important, it is not the only factor to be considered, hence why we are where we are with the future undecided at the present time.

I think it would be an idea for us to meet for half an hour or so, just so that we could clarify one or two points, as mentioned in this response. To see if we can simplify your request and avoid the need for legal opinion, which could be expensive and may well exceed the £450 limit to provide you with all the information you need under the FOI.

If you could get back to me with some dates and times when you are free in the next week or so, and let me know regarding the cost of the copied deeds – many thanks.

Best regards,

Richard Bishop
Town Clerk



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From: Town Clerk | Swaffham Town Council
Sent: 07 February 2019 09:14
To: 'Stan Sole' <stan.sole@oxford239.plus.com>
Subject: RE: Day's Field

Hi Stan,

Just checking to see that you received my e-mail below?

Best regards,

Richard Bishop
Town Clerk



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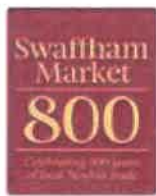
From: Town Clerk | Swaffham Town Council
Sent: 05 February 2019 16:56
To: 'Stan Sole' <stan.sole@oxford239.plus.com>
Subject: RE: Day's Field

Hi Stan,

I do apologise, but I am unable to meet your FOI request deadline of 6th February, I am afraid that I need to invoke a further 20 days on this occasion. This would give a revised deadline of 6th March, I hope that I wont need the full amount of time in this regard. If I am able to give you the information sooner, then I will.

Best regards,

Richard Bishop
Town Clerk



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From: Stan Sole <stan.sole@oxford239.plus.com>

Sent: 09 January 2019 10:37

To: Town Clerk | Swaffham Town Council <townclerk@swaffhamtowncouncil.gov.uk>

Subject: Re: Day's Field

Thanks Richard for a helpful reply. I didn't realise, but perhaps should have done, that the TC solicitor holds the documents as I assumed they would be in the TC archives somewhere. I will await with interest your early February email.

Cheers,
Stan.

From: Town Clerk | Swaffham Town Council

Sent: Wednesday, January 9, 2019 8:50 AM

To: Stan Sole

Subject: RE: Day's Field

Hi Stan,

I acknowledge receipt of your e-mail of 8th January, which is a Freedom of Information request and you will receive a full response on or by Wednesday 6th February. I can confirm that a copy of your letter and my reply will be circulated to the Council prior to the 16th January meeting. All Freedom of Information requests have to be placed on the agenda.

Most of the relevant documents are currently with our Solicitors and in my response I will give you an estimate as to the cost of providing the information to you. I can therefore only give immediate comment on the issues you raise in your introductory paragraphs as follows: -

I agree that former Deputy Mayor David Butters was indeed a great source of all matters Swaffham, he was a good historian, he loved the Town Museum and I miss his contribution to the cause. He was in fact a Town Councillor at the time the Council decided to dispose of the Days Field allotments.

The Town council have been absolutely clear on the point of early expenditure for the Days Field project, whichever of the three options the Council finally choose to proceed with, that there will be no negative impact on the Precept. The cost plan has to achieve a self-funding project and maximise the benefits to the Town, otherwise it is a non-starter. Any initial expenditure would be funded from currently held reserves and reimbursed within the same financial year, this is quite a normal use of reserves. There has been some planning expenditure to date, funded from previous capital receipts, not from any Precept money.

The application to gain permission to borrow will proceed in the next few months, however the decision on whether to use the permission, should it be granted, will rest with the newly elected Council from May 2019. This decision was taken last month by the Town Council.

I will be in touch again in early February, as your request has been very precise in asking for certain documents. I will do my best to advise at that time whether some or all of these documents have been superseded by further documents and confirm the estimated cost.

Best regards,

Richard Bishop
Town Clerk



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From: Stan Sole <stan.sole@oxford239.plus.com>
Sent: 08 January 2019 17:54
To: Town Clerk | Swaffham Town Council <townclerk@swaffhamtowncouncil.gov.uk>
Subject: Day's Field

Hi Richard,

Please can you let the Town Council see this letter before the 16 January meeting.

Many thanks,
Stan.

Hello Richard,

Happy New Year to you, Claire, Hannah and Kerry.

I have a request which relates to Day's Field, for which I know that the Town Council is considering applying for a grant for development, but about which I have misgivings as to the wisdom of it. I believe it would appear to sound good in the longer term. In the short term I do not think it would be a good thing at all as the townsfolk of Swaffham would have to pay out some cash, undoubtedly included in the precept, to subsidise the Town Council if it was deciding to proceed.

Some of us are trying to find relevant documentation re Day's Field which, as I understand it, was gifted to the town for the profits from allotment rents, under the 1887 Allotments Act, to be used to provide "coals for the poor". It's a pity that Mr Day didn't have the foresight to realise that very few people would have coal

fires some 132 years later and that central heating has taken the place of coal fires - but who would have had such foresight at the time? Nonetheless, his intentions were good and very altruistic.

I am given to understand that David Butters kept copious notes on all matters to do with Swaffham Town. So I am wondering whether I can request sight of any documents that he – or the Town Council - may have squirreled away relating to Day's Field.

I do know of some, which are:

Lease – H. W. Day to Swaffham Local Board of Health (LBH). 5-7-1888. 8 years. 5a.30p. area. Inclosure map 1869 nos. 444, 445, 446, 447. Conditional on that the land is only used for allotments under 1887 Act.

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Conveyance – Mrs. Julia Day (widow of H. W. Day) to SUDC. 22-1-1900. 10 shillings paid by SUDC for this land as if the SUDC had purchased the land for use under the 1887 Allotments Act. Profits from allotment rents to be used to provide coals for the poor.

Some further points which have been brought to my notice are:

On 1 February 1899, SUDC expressed opinion as to whether Council could accept Mrs Day's gift of Allotments and the mode of transfer to the Council. The Clerk was directed to prepare the Conveyance of the land to the Council as, in the opinion of SUDC, this would be the best way to carry out the intention of Mrs Day and legally secure the property to the Council. However, on 7 February 1900, the Chairman of SUDC moved that "the seal of the Council be affixed to the Conveyance from Mrs Day of the land specified for Allotment purposes".

I believe that Swaffham Town Council may have some or all of the documents cited above and would be pleased to learn a) if it has them in its possession and b) whether or not it would be possible to have sight of them, and to take away photocopies for perusal. If the documents are not in the possession of STC, is it known where they are kept, please?

Cheers,
Stan.