Stilton Heritage – Synopsis Report

Parish Council meeting – 13 October 2026

Clerk: Julianne Lawrence

Contents: Overview (page 1), CAPALC response (page 2), summary of decisions to be made (page 3 and linked to Parish Council agenda for October).

Attached to email: Memorandum of Understanding (MOU), meeting notes from 14/09/26, Stilton Heritage response to questions.

Overview:

- August 2026 – (PC183/26) Following feedback from the informal meeting with Stilton Heritage on 27/07/26 and Wellers solicitors, Stilton Heritage were asked for an agreement in principle to a Licence to Occupy, and to confirm proposals re Parish Room use of 2 days a week, contributing 2/7ths of the costs/utilities and agreement re space usage/storage. Once confirmed, solicitors to draw up the Licence to Occupy.

- September 2026 (PC196/26) Response from Stilton Heritage of: *we are, in principle, ready to consider moving towards a Licence to Occupy to explore in more detail what it might offer*. No response to questions regarding suggested use, costs or space. Stilton Heritage's request for an informal meeting to voice, *'concerns and flag up the drawbacks, both to SH and the PC, of a Licence'*, took place on 14/09/26 at the Parish Room with councillors, the Clerk and Stilton Heritage attending.

- A Stilton Heritage Memorandum of Understanding (MOU) was presented at the above meeting (Memorandum of Understanding and Clerk meeting notes are attached).

- The Clerk contacted CAPALC for governance advice, providing the MOU and meeting notes. Response below.

- The Clerk contacted Stilton Heritage with further questions so that if the Parish Council funds: all business rates, a larger proportion of electricity and water, building maintenance, insurance and external maintenance, the contribution SH is capable of making and how the proposed allocation is reasonable can be documented. If the Parish Council decides to bear a disproportionate share of the costs, what is the justification for that decision? (SH response to questions attached).

- On 04/10/26 Stilton Heritage emailed council with correspondence for the October PC meeting suggesting understanding that an agreement at the informal meeting re the setting up of a joint Working Group for Heritage Centre management had been reached. The Clerk advised at the start of the informal meeting that the meeting was exploratory and that no Parish Council decisions could be made at the meeting. The Clerk subsequently reiterated that any decision to establish a Working Group would be a matter for the Parish Council (see meeting notes and CAPALC advice below).

CAPALC advice following submission of MOU and Meeting Notes:

Dear Julianne,

The Council should ensure that all substantive financial, operational and occupancy terms are formally agreed before any occupation begins, and before any equipment or fittings are installed.

Informal or "gentleman's agreements" are not suitable for a local authority, particularly as councillors change over time and the Council can only act through properly recorded, written decisions; everything should be documented and approved in advance.

A Licence to Occupy is a legal instrument and should be progressed with appropriate legal advice to protect the Council's interests. I have listed below three legal firms who are experienced in local government work/law. CAPALC and NALC are unable to comment on individual cases.

We do not endorse any particular company, this is just advice on who the council might contact for assistance.

Wellers Hedley Solicitors
https://www.wellerslawgroup.com/people/roger-taylor/

Birketts
https://www.birketts.co.uk/people/ruth-neave/

Surrey Hills Solicitors
https://surreyhillssolicitors.co.uk/legal-services-for-local-government/

The suggestion of a joint Working Group is not an appropriate mechanism for managing a jointly occupied Council building because Working Groups cannot hold delegated authority under Section 101 of the Local Government Act 1972, cannot make decisions, and cannot hold or spend a budget. Operational matters should remain within the Council's established committee structure and officer delegation arrangements.

It is also important to reinforce that individual councillors cannot make commitments or decisions on behalf of the council; only the Council, or a committee or officer with delegated authority, may do so, and a clear Scheme of Delegation should be followed. There is some NALC guidance about discharging functions and committee/officer delegation here Local councils\' powers to discharge their functions

Where councillors have interests or connections with Stilton Heritage, these must be declared in accordance with the Code of Conduct, and dispensations sought where necessary to ensure transparency and protect both the Council and members. There is some NALC guidance here Members\' conduct and the registration and disclosure of their interests (England)

Care should be taken to avoid any appearance of pre-determination or bias. There is some NALC guidance here Predetermination

Before proceeding, the Council should ensure that governance arrangements for managing the facility are clearly defined, lawful, and fully documented, with a robust written agreement in place that sets out responsibilities, costs, access, insurance, maintenance and termination provisions.

Kind Regards

Tor

Tor Taylor

CiLCA | PSLCC | Cert HE

Deputy County Officer

Summary of matters for Parish Council attention:

Matter:	**SH proposal/response:**	**CAPALC advice:**	**Council to decide:**
Occupation	2 days + flexible access	Terms agreed before occupation	What access does SPC/SH have?
Rates	SH does not propose 2/7ths	Financial terms agreed first	Who pays?
Electricity/water	To be negotiated	Financial terms agreed first	What is the formula?
Working Group	3 SH + 3 SPC	Not appropriate for delegated decisions	Use AMC/Clerk?
Equipment	SH wishes to install	No occupation/equipment before terms agreed	When can works start?