

## EXECUTIVE DECISION RECORD SHEET

<b>Name of decision maker:</b>	Councillor Nicholas Tiley
<b>Portfolio:</b>	Finance and Resources.
<b>Date of Portfolio Holder Decision:</b>	13 November 2012

<b>Title of Decision: St Johns Church (Boxmoor) – Request for Interest Free Loan</b>
<b>Decision made and reasons:</b> <p>The Church had the main roof repaired and re-felted in 2007 and this is in satisfactory condition. However, much of the rainwater goods require replacement to prevent water damage to the walls of the building. The external timber cladding and frames have suffered severe splitting/shrinkage and vandalism, and require replacement, without which it is possible that internal damage to the building will occur. If serious damage were to occur, it would threaten the ongoing use of the facility as a community meeting point and activity centre (when not in use as a place of worship on Thursday and Sunday mornings).</p> <p>The Council has received a request from The Parochial Church Council (PCC) for an interest free loan of £12,000. In order to protect the community facility, the Council proposes to loan the full amount to St Johns Church, on the basis that it is repaid in three equal annual instalments of £4,000 over the period between 2015 and 2017.</p> <p>In 2002 the Portfolio Holder for Community Services approved an interest free loan of £50,000 to the PCC to help fund the construction of a new Church hall at St Johns Church in Boxmoor for community use. The loan was fully repaid within the terms of the loan contract.</p>
<b>Recommendations made and reasons:</b> <p>That, subject to a satisfactory financial appraisal, the Parochial Church Council be granted an interest free loan of £12,000 with equal repayments of £4,000 over a three year period between 2015 and 2017.</p>
<b>Reports considered: (here reference can be made to specific documents)</b> <p>Letter and application (and associated application documents) from St Johns Church (Boxmoor)</p>
<b>Officers/Councillors/Ward Councillors/Stakeholders Consulted:</b> <p>Leader of the Council Portfolio Holder for Finance and Resources Section 151 Officer Monitoring Officer Group Manager (Financial Services) Group Manager (Citizen Insight)</p>
<b>Monitoring Officer/Chief Financial Officer Comments:</b> <p><b>Deputy S151 Officer</b> – To move forward with this decision an updated loan agreement should be agreed by all parties to accurately reflects this decision. A review of the financial statements of the Church will be undertaken before the loan is granted.</p> <p><b>Monitoring Officer:</b> - The power for the Council to make interest free loans in these</p>

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circumstances is to be found in the general power of competence contained in section 1 of the Localism Act 2011. However, the exercise of this power is still subject to the limitations of 'Wednesbury' reasonableness. In other words, the decision must still be a rational one based on lawful considerations. Financial assistance to religious institutions for the maintenance of church buildings is lawful provided that the building in question is also used for the benefit of the wider community. The need for the parties to complete a loan agreement has already been mentioned by the section 151 officer.

**Options Considered and reasons for rejection:**

- 1) Refusing loan application - If remedial works are not carried out, the ongoing use of the facility as a community meeting point would be under threat.
- 2) Accepting loan application - Recommended.

**Portfolio Holders Signature:**

**Date:**

**Details of any interests declared and any dispensations given by the Standards Committee:**

**For Member Support Officer use only**

Date Decision Record Sheet received from portfolio holder: 13/11/12

Date Decision Published: 13/11/12

Decision No: PH/065/12

Date of Expiry of Call-In Period: 20/11/12

Date any Call-In received or decision implemented: