



Chairman RODNEY LEGG Charity No 214753 General Secretary KATE ASHBROOK

### **ANNUAL GENERAL MEETING**

**Minutes of the Annual General Meeting held at Friends House,  
Euston Road, London NW1 2BJ on Tuesday 1 July 2008**

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#### **PRESENT**

Mr Paul Clayden	(vice-president)
Mr Roger de Freitas	(vice-president)
Mr Edgar Powell	(vice-president)
Mrs Pat Wilson	(vice-president)
Mr Rodney Legg	(chairman)

and 46 other members of the society, five members of staff  
and one guest.

Apologies were received from 13 members.

#### **WELCOME BY THE AGM CHAIRMAN**

- 08/1 The AGM chairman, Roger de Freitas, welcomed members to the meeting. He said that we were at last going to consolidate some of our discussion on the constitution, and he hoped this would mean a change in our approach to governance, which we should keep under a constant review. No charity could afford to conduct its affairs in the same manner for ever, and it was important to get this right. The society had a fantastic history of doing the right thing at the right time. We supported the creation of the National Trust. It was very valuable to see what was happening in other countries, where the same issues that the OSS had battled with for more than a century were surfacing. He cited his recent visits to Poland, Estonia and Turkey where there was a growing awareness of the importance of the environment, and for access to open space. The new Europeans need people like our members as well as the experience and capacity of the OSS to help them to be vigilant, particularly in areas where we might enjoy walking or taking holidays.

#### **APPROVAL TO LIMIT SPEECHES**

- 08/2 It was proposed by Diane Andrewes, seconded by Paul Clayden and agreed that speeches would be limited as follows: proposers of motions maximum five minutes, others maximum three minutes.



## **APPOINTMENT OF TELLERS AND SCRUTINEERS**

- 08/3 It was proposed by Brian Reader, seconded by Pat Wilson and agreed to appoint Julie Jiggins and Ruth Walker as tellers and scrutineers.

## **MINUTES OF THE ANNUAL GENERAL MEETING ON 3 JULY 2007**

- 08/4 With the amendment of 'identity' to 'identify' in minute 07/10, fifth line, the minutes were approved and signed as a correct record.

## **MATTERS ARISING FROM THE MINUTES**

- 08/5 The AGM chairman drew attention to the paper from the trustees setting out the action taken following the resolution passed at last year's AGM.
- 03/6 John Ives (North Somerset), who had proposed the motion last year, said that, two weeks before the AGM he had been totally disillusioned by the trustees' action but in the last few days this had changed to disappointment. This was because the long-awaited survey of highway authority policy and practice on structures on highways had just been circulated. He had felt excluded from the trustees' discussions. He stated that the trustees had agreed a strategy last September, but nothing had been done until the last few days. He was concerned that the delay may have been caused because there was no dedicated rights-of-way resource at headquarters. He further commented that the legal process (section 130A of the Highways Act 1980) designed by the Department of Environment, Food and Rural Affairs (Defra) relating to the removal of obstructions (including structures) on public paths was proving inoperable when dealing with highway authorities that don't play ball. He wanted to see an urgent review of, or change in, legislation.
- 08/7 The general secretary responded that getting the law changed was a long process and we needed first to draft our amendments and then find an opportunity to promote them.
- 08/8 Brian Reader and Don Lee concurred with this view.
- 08/9 Chris Beney apologised for the delay in acting on the resolution which, he said, was because some of the work had been down to him.
- 08/10 The AGM chairman thanked all those who pursue local authorities on this matter, and said that in future perhaps the trustees should be more in touch with proposers of motions when following up AGM resolutions.

## **ADOPTION OF ANNUAL REPORT AND TRUSTEES' REPORT FOR 2007**

- 08/11 Rodney Legg (chairman) proposed the adoption of the trustees' report for 2007. He said we punched heavily above our weight; the office took on hundreds of cases, and thousands of cases were dealt with under the scrutiny of our local correspondents. It was sad that we couldn't cover



everything, but we are able to surprise local authorities by popping up unexpectedly.

- 08/12 The trustees' report was seconded by Edgar Powell.
- 08/13 The general secretary spoke to the annual report. She referred to the work of the local correspondents and other volunteers, the trustees and the staff, all of whom had separate and defined roles but were mutually supporting. She said that we got through an incredible amount of work with only five members of staff. The annual report for 2007 showed the number of cases we had helped with last year, and the number this year would be even greater. There were particular pressures to register land as new greens. We were concerned that Defra was claiming that many applications were spurious, being made simply to save open spaces. We did not find this to be so, and we only assisted with cases where there was good evidence.
- 08/14 Our case officer was involved with stakeholder groups directing the implementation of the Commons Act 2006. This would lead to the re-opening of the common land registers with an opportunity for us to retrieve lost commons, and the setting up of commons councils to promote good management of the commons. We had already seen the new law and procedures for works on common land. We were still looking for a good case whereby a member of the public could go to court over unlawful works, thus testing the new legislation.
- 08/15 Urban open spaces and paths continued to be under threat and the society was concerned about public realm agreements which were privatising open space, and the proliferation of gating orders.
- 08/16 The big issues on the horizon were coastal access, on which we were supporting Natural England's proposals as far as they went, and the future for public rights of way with Natural England setting up a stakeholder group to look at rights-of-way law.
- 08/17 The society had had a good year, and this year would be even better. The general secretary closed by thanking local correspondents and other volunteers, the trustees and the staff for their unfailing commitment and hard work.
- 08/18 The trustees' report was approved.

#### **ACCOUNTS FOR 2007**

- 08/19 The acting treasurer, Robert Peel, proposed the accounts with a graphic presentation showing the trends in income and expenditure over the last five years and our worrying dependence on legacies. He said that lack of funding had been identified as a key risk to the society and there would be a special meeting of the trustees in September to discuss this. The trustees had agreed to increase the subscriptions broadly in line with inflation with effect from 1 January 2009. Ideally our regular expenses would be covered



by regular income so that legacies could be used for special projects or a litigation fund.

- 08/20 The accounts were seconded by Bob Milton.
- 08/21 John Ives said that some parish councils were very small and he felt it was unfair to have a flat fee for all parish councils. He asked that this be considered. He also said that when he worked for Royal Mail, its surplus senior managers (and those of other government departments) were often seconded to worthy organisations, and we might be able to find a fund-raising manager from that source.
- 08/22 Peter Kidner (Somerset) asked that donations by the society be identified in the accounts. He was particularly grateful to the society for donating £10,000 towards his court case regarding the obstructed Barcroft Lane in South Petherton, Somerset.
- 08/23 Dilwyn Chambers (London Borough of Harrow) suggested we produce special recruitment leaflets for local events, referring to local cases.
- 08/24 Ron Sims (Bucks) suggested that we should review our subscriptions more frequently than every five years so that we didn't have to have a large increase which could put people off.

#### **APPOINTMENT OF INDEPENDENT EXAMINERS FOR 2008**

- 08/25 It was proposed by Chris Beney, seconded by Brian Reader and agreed that Villars Hayward, chartered accountants and registered auditors of Henley-on-Thames, be appointed independent examiners for 2008.

#### **ELECTION OF VICE-PRESIDENTS, OFFICERS AND EXECUTIVE COMMITTEE**

##### **Vice Presidents**

- 08/26 The vice-presidents had been formally proposed by Diane Andrewes and seconded by Chris Beney. The meeting agreed that Lord Clark of Windermere, Paul Clayden, Roger de Freitas, Richard Mabey, Edgar Powell, John Riddall, Bernard Selwyn, Margaret Smith, Anne Wilks and Pat Wilson be elected vice-presidents.

##### **Chairman**

- 08/27 Donald Lee had proposed and Peter Newman had seconded Rodney Legg's election of chairman. This was agreed by the meeting.

##### **Vice-chairman**

- 08/28 Bob Milton had proposed and Chris Beney had seconded the election of Phil Wacey as vice-chairman. This was agreed by the meeting.



### **Treasurer**

- 08/29 It was noted that the acting treasurer, Robert Peel, was unable to stand for election at the AGM because he had not been a member of the society for one year preceding the closing date for nominations, which was a requirement under the constitution.

### **Executive Committee**

- 08/30 The following had been proposed and seconded as members of the executive committee.

Diane Andrewes	Peter Newman
Chris Beney	Peter Turtill
Tim Crowther	Jacqueline Warr
Andrew Hill	John Willson
Donald Lee	

- 08/31 As there were insufficient candidates for a ballot they were automatically elected.
- 08/32 The chairman thanked Bob Milton, who was retiring from the committee after ten years, for all his work.

### **MOTIONS**

#### **Constitution**

- 08/33 Phil Wadey proposed and Rodney Legg seconded the following motion:

*That the draft constitution, a copy of which was circulated to members prior to the 2008 AGM, be adopted as the Constitution of the Society from the close of the AGM subject to the transitional provisions shown therein.*

- 08/34 Bernard Selwyn proposed an amendment to correct E4 line five, to replace '(5)' with 'subclause (6)'. This amendment was accepted by the proposer of the motion.
- 08/35 After a long debate, the AGM chairman called for the vote, explaining that the motion must be carried by a two-thirds majority of those present and voting.
- 08/36 After a show of hands, there were 35 votes for and nine votes against. The motion was therefore carried.

### **ANY OTHER BUSINESS**

#### **Training of local correspondents**

- 08/37 John Ives said that he was the society's local correspondent for Bath & North East Somerset and North Somerset and it had taken him 18 months to reach his current self-taught level of expertise. He said there was no



dedicated rights-of-way staff at the office and his fellow correspondents seldom shared experiences. He asked that the committee review whether there was a need to provide training and to design processes to encourage information-sharing between local correspondents sooner rather than later, and he asked for the appointment of a dedicated rights-of-way resource.

- 08/38 Chris Beney said that we had tried holding local meetings of local correspondents and one had been held at his house some years ago which had been quite successful.
- 08/39 Bob Milton said he considered training to be very important. Liz Akenhead (Kent) said that the British Horse Society ran training days and there had been one a couple of years ago which had been run by Paul Clayden, the general secretary and the case officer.
- 08/40 The AGM chairman said that he had funded some local correspondents' training weekends which had been very successful, but they were expensive and the society would need to find the resources to do this. However he felt there was some scope for sharing training opportunities with other organisations.
- 08/41 The AGM chairman then closed the meeting thanking everybody for attending. The general secretary thanked Roger de Freitas for chairing the meeting and Ruth Walker for all her work in organising the AGM.
- 08/42 The meeting closed at 13.10pm

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08/43 In the afternoon there was a talk by Guy Thompson, Natural England's Executive Director, External Affairs on 'Inspiring people to enjoy the natural environment: a new vision for green spaces'. This was followed by questions.

08/44 This was followed by presentations from members as follows:

'Landfill on Basildon and other Golf Courses' by John Toplis

'Highways Act 1980 – section 130C application: Practice, Problems and Proposed Amendment' by Peter Kidner

'The Latest Village Green Application in Wales' by Andrew Hill.

