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ANNUAL GENERAL MEETING

**Minutes of the Annual General Meeting held at Friends' House,
Euston Road, London NW1 2BJ on Tuesday 6 July 2010**

PRESENT

Mr Paul Clayden	(vice-president)
Mr Len Clark	(vice-president)
Mr Edgar Powell	(vice-president)
Mr Bernard Selwyn	(vice-president)
Mr Phil Wadey	(vice-chairman)

and 30 other members of the society, five members of staff
and one guest.

Apologies were received from 15 members.

WELCOME BY THE AGM CHAIRMAN

- 10/1 The AGM chairman, Paul Clayden, welcomed members to the meeting. He referred to the coalition government's programme on the environment, food and rural affairs and, in particular, noted the commitment to the following measures: to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity, to launch a national tree planting campaign, to review the governance arrangements of national parks in order to increase local accountability, and to take forward the Marine and Coastal Access Act and ensure that its conservation measures are implemented effectively.
- 10/2 However, he expressed concern that there was no mention of the full implementation of the Commons Act 2006, in particular regarding recovery of 'lost commons', which was currently in operation in only seven pilot areas in England. In Wales, almost none of the act had been brought into force and no timetable for implementation had yet been produced by the Welsh Assembly Government.

APPROVAL TO LIMIT SPEECHES

- 10/3 It was agreed that speeches would be limited as follows: proposers of motions maximum five minutes, others maximum three minutes.

APPOINTMENT OF TELLERS AND SCRUTINEERS

- 10/4 It was agreed to appoint Julie Jiggins and Ellen Froggatt as tellers and scrutineers.

MINUTES OF THE ANNUAL GENERAL MEETING ON 30 JUNE 2009

- 10/5 The minutes were approved and signed.

MATTERS ARISING FROM THE MINUTES

(09/6) Defra guidance on structures on public paths

- 10/6 Chris Beney reported that he had spoken to the rights of way officer in Defra, Dave Waterman, who said he hoped to have the document published by the end of July. Chris said that this would make a major change to structures on rights of way in future. Responding to a question from John Ives, Chris confirmed that the Defra guidance would influence rights-of-way orders, but it might also have a knock-on effect on rights of way not affected by orders.

(09/7) Recruitment leaflets focussing on boroughs

- 10/7 Dilwyn Chambers (London Borough of Harrow) noted that this had not been done and asked whether members could be put in touch with other members in their area. The general secretary explained that this could not be done because of the Data Protection Act, but she could write to members in a particular area asking if they were willing to be put in touch with another member. In the last year she had done this for Dilwyn Chambers and for a local correspondent.

ADOPTION OF TRUSTEES' REPORT FOR 2009

- 10/8 Phil Wadey (vice-chairman) proposed the adoption of the trustees' report for 2009. He explained that the chairman, Jackie Warr, was unwell. He wished to advise members of the trustees' consideration of moving the society towards a form of incorporation. He explained that the society was, at present, an unincorporated association so it was not a legal entity and, as a result, all the work of the society had to be done in the name of individuals, usually the trustees. This meant that the trustees held responsibility even when they had behaved perfectly properly and taken appropriate advice.

- 10/9 The trustees had been discussing for some time the desirability of incorporation but had delayed each time because of the 'imminent' introduction of the Charitable Incorporated Organisation. Sadly, despite parliament passing the required primary legislation for this new, allegedly simple, form of organisation, matters had stalled.
- 10/10 The trustees believe that the prospect of unlimited liability for the actions of the society and other trustees was deterring some potential candidates from standing for election, and this had been highlighted in trustees' exit interviews over the past couple of years.
- 10/11 He therefore informed the AGM that the trustees had decided that, if the government has not made significant progress in bringing the Charitable Incorporated Organisation into being by March 2011, they would pursue other options, for example the company limited by guarantee.
- 10/12 The trustees' report was seconded by Jack Gilbert.
- 10/13 The general secretary began by expressing her regret that three people in particular could not be with us. They were Jackie Warr, our chairman, who was ill; Pat Wilson, our vice-president, who had had a fall the night before, and Geoffrey Stevenson, who had attended nearly every AGM for many years but was extremely ill in hospital. She asked the AGM to send all three their best wishes.
- 10/14 The general secretary then spoke to the trustees' report. Last week, she had attended an event to celebrate the renovation of a seat erected in 1931 as a memorial to our founder, Lord Eversley, on Hightown Common, Hampshire. It was a good reminder of the continuity of the society over a long period, for we were still fighting for commons and greens just as Lord Eversley had fought for them. The last year had shown some significant achievements, such as the Marine and Coastal Access Act and the confirmation of the South Downs National Park.
- 10/15 Much had occurred since the year end that was also significant. There had been two landmark legal cases: Peter Kidner's victory in the high court on Barcroft Lane, Somerset, and the supreme court judgment on the Redcar village green case. We continued to be concerned that the new government would review the legislation for new greens, and were pressing for this to be dropped.
- 10/16 We had completed our report, Finding Common Ground, commissioned by Natural England and had published it in the last week. The stakeholder working group on unrecorded rights of way had published its report, Stepping Forward, which proposed a streamlined system for claiming paths. We were planning a local correspondents' weekend in October and, since the last AGM, had held two open days for members, one at Aldbury

and the other organised by the Bursledon Rights of Way and Access Preservation Group, at Netley Abbey.

- 10/17 We were deeply immersed in defending our areas of interest from cuts and had been working with Wildlife and Countryside Link to agree a statement to the secretary of state saying which areas were sacrosanct and which work could be done differently to save money. We wanted the new government to recognise the importance of commons and to extend to the whole of England the provisions of part 1 of the Commons Act 2006 for registering lost commons.
- 10/18 In these tough times, the society's strengths were that we were small, flexible and swift to act. We could make our resources go a long way so that donors really did get value for money. We were delighted to receive a generous donation early last year as well as a big legacy.
- 10/19 It was a joy to work for such an organisation and the general secretary thanked the trustees, staff, local correspondents and members for their loyalty, commitment and support over the last year. She particularly thanked Phil Wadey, who was standing down as vice-chairman after five years and who had made a valuable contribution, in particular on governance issues. She ended with an assurance that, whatever happened in the wider world, there would always be an Open Spaces Society.

ADOPTION OF ACCOUNTS FOR 2009

- 10/20 Chris Beney, a member of the finance subcommittee, proposed that the accounts be adopted. Chris reminded members that historically we have always relied on legacies and large gifts to make up what would otherwise be a substantial shortfall in our other funding such as membership fees, publications sales and specific appeals. Legacies are naturally erratic and we have had anxious moments from time to time in recent years. Some two years ago the trustees were expressing very serious concerns and, had two events not occurred, we should have had to take some drastic action. The first event was that an anonymous well-wisher made a most generous donation. It was very timely and it gave the trustees a breathing space to come up with economies in our operating costs (the office responded well here and made substantial savings) and with a proper longer-term policy to replace the ad hoc method of reserves planning previously used.
- 10/21 The longer-term plan that emerged was as follows. We look annually at the worst case of no further legacies and we set aside from our reserves sufficient to meet the close-down costs of the society. That amount is quite substantial: the office lease, staff redundancies, pension and other costs may amount to over £100,000. We then take the rest of our reserves at annual budget time and we apply them over the year being budgeted for

and three subsequent years. This process would have meant some cuts in our operation by the time of this AGM were it not for the second event. That was a very large legacy, the largest for many years. The society is very grateful to both of these donors.

10/22 A graph of legacy income over some sixteen years, indexed to the RPI, was displayed, from which it could be seen that if there is no overall increase it would in a few years require further downward adjustment in annual operating costs or alternative sources of income. Members, especially those with no dependents, were reminded of the importance to the society of legacies.

10/23 John Ives seconded the adoption of the accounts.

10/24 Bernard Kestelman (London Borough of Enfield) asked whether we took professional advice on our investments. Chris Beney responded that we received useful advice from Jonathan Crossman and that the trustees, between them, had the necessary skills.

APPOINTMENT OF INDEPENDENT EXAMINERS FOR 2010

10/25 It was agreed that Villars Hayward, chartered accountants and registered auditors of Henley-on-Thames, be appointed independent examiners for 2010.

ELECTION OF VICE-PRESIDENTS AND MEMBERS OF THE BOARD OF TRUSTEES

Vice Presidents

10/26 Tim Crowther proposed and Chris Beney seconded the election of the following vice-presidents: Lord Clark of Windermere, Len Clark, Paul Clayden, Roger de Freitas, Tony (Lord) Greaves, Richard Mabey, Edgar Powell, John Riddall, Bernard Selwyn, Ronald Smith, Anne Wilks and Pat Wilson.

Trustees

10/27 The following had been proposed and seconded as trustees: Chris Borland, Tim Crowther, Jean Macdonald and Jackie Warr.

10/28 As there were insufficient candidates for a ballot they were automatically elected.

MOTIONS

- 10/29 The chairman reported that Graham Wanstall had withdrawn his motion and was not present.

ANY OTHER BUSINESS

- 10/30 Michael Cullen (Essex) spoke about a recently-formed body, the Coalition for Economic Justice, which had brought together several organisations which believed that the tax system should have a land levy in place of council tax, national insurance and possibly other taxes. He hoped that the society would consider joining this group.
- 10/31 Jack Burling (Cornwall) was concerned that some paths in Cornwall had too many stiles. For instance, they might have a Cornish hedge in the middle with a wire fence on either side. It was extremely difficult to get along them.
- 10/32 Bernard Selwyn (London Borough of Kensington and Chelsea) spoke to his paper which had been circulated, entitled A New History for the Society. He hoped that, when the society reaches its 150th anniversary in five years' time, it would publish a history of the society. The only proper history had been written by its founder, Lord Eversley, 100 years ago. Bernard hoped that work would start on this now and that we would find an author sufficiently expert to carry out research in many possible sources, and that we would seek funding.
- 10/33 Dilwyn Chambers (London Borough of Harrow) asked how he should deal with council officers whom he did not believe to be telling the truth. Chris Borland, who was the independent chairman of the standards committee of South Somerset District Council, gave a clear exposition on the work of the standards committee and how to make a complaint. The general secretary said we would hope to publish this as an information sheet and in *Open Space*.
- 10/34 Phil Wadey proposed a vote of thanks to the staff who had worked so hard over the past year; Kate, Nicola, Mark, Ellen, Ruth and Julie. The AGM gave a round of applause.
- 10/35 The meeting closed at 12.15.
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- 10/36 Our appointee on the National Trust council, Beverley Penney, spoke about her role on the council and recent developments in the National Trust. She urged members to contact her if they had problems, issues or

ideas relating to the National Trust. A number of members raised issues to which Beverley responded.

- 10/37 Peter Kidner spoke about his victory on Barcroft Lane in the high court earlier that year, setting out the process he had followed and some of the difficulties along the way. Members congratulated him on his success.
- 10/38 After lunch, Carry Akroyd spoke about the poet John Clare, and the landscapes which he knew and loved during his lifetime, and which she knows now. She illustrated the talk with slides of her work. Phil Wadey proposed a vote of thanks to Carry.

Paul Claydon

5.7.2011

