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**Minutes of the twenty-fourth meeting of the Board of Trustees of
the Open Spaces Society held at 12 noon on Thursday 9 June 2016 at
Friends House, 173 Euston Road, London NW1 2BJ**

PRESENT Phil Wadey (chairman)
Diane Andrewes
Chris Beney
John Lavery
Peter Newman
Steve Warr

IN ATTENDANCE Kate Ashbrook (general secretary)

APOLOGIES Graham Bathe, Tim Crowther

DECLARATIONS OF INTEREST

28/16 There were no declarations of interests.

ANNOUNCEMENTS

29/16 It was noted that, if he had been present, this would have been Tim Crowther's last meeting as a trustee. The trustees thanked him most warmly for his long service as a trustee and as chairman.

30/16 It was noted with pleasure that Hugh Craddock had joined the society as additional case officer on 4 April. It was further noted that the general secretary was once more a trustee of the Ramblers after four years as president.

MINUTES OF THE MEETING ON 10 MARCH 2016

31/16 The minutes were approved as a correct record and for publication on the website.

DECISIONS TAKEN SINCE LAST MEETING

Ian Witham's case in the magistrates' court regarding East Ruston footpath 27/Honing footpath 15, Highways Act 1980 section 56 (out of repair)

- 32/16 The action had been approved by the legal subcommittee, with no financial commitment yet (beyond the magistrates' court fee which we believed to be in the order of £700). John Lavery, who had been assisting Ian, reported that the Court Service had changed the venue of the hearing at short notice but John had intervened (since Ian could not respond to emails while he was at work) and had secured a hearing in Norwich with the District Judge on 16 June.

Moorside Fields Community Association application from legal fund to contest Lancashire County Council's judicial review of decision to register Moorside Fields, Lancaster

- 33/16 The general secretary apologised for overlooking the requirement to obtain trustee approval before agreeing to give £5,000. The trustees gave retrospective approval for the sum of £5,000, and noted with pleasure that Lancashire County Council's judicial review had been lost. We now wait to hear whether Lancashire County Council would appeal.

FINANCIAL MATTERS

Minutes of finance committee meeting on 10 March 2016

- 34/16 The trustees noted the minutes.

Oral report of finance committee meeting on 9 June 2016

- 35/16 It was noted that the finance committee meeting had been held immediately before the trustees meeting. The recommendations to trustees would be presented under the individual items on the agenda.

Management report to end April 2016

- 36/16 It was noted that there had been an overspend on professional fees because the new Statement of Recommended Practice had made the independent examination of the 2015 accounts more complex.

Investment and cash summary at end April 2016

- 37/16 It was noted that the CAF Gold account was limited by the Financial Services Compensation Scheme protection of £75,000; we had a significantly greater sum invested there because of the recent legacy. Although this money was at less risk than if it were in a bank we felt it was prudent to spread it and therefore were setting up five new banking relationships: Aldermore, Hampshire Trust, Cambridge & Counties, Nationwide Instant Saver and Shawbrook.

Find Our Way Fund: process for agreeing expenditure

- 38/16 The trustees noted with pleasure the success of the recent appeal and approved the finance committee's recommendation, that the general secretary be authorised

to spend from the fund up to £750 on any individual item, to a total of £3,000 in the year, on suitable projects aimed at restoring the rights-of-way record before 1 January 2026. The nature of the reporting would be determined when we knew the items of and scale of the expenditure. This delegated authority in relation to the Find Our Way Fund is in addition to, and does not impinge on, the existing delegated authority for other expenditure.

Project funding

Registering commons and greens

- 39/16 The trustees considered the bid prepared by Hugh Craddock for funding over a four-year period for a project to register commons and greens (waste land of the manor under paragraph 4 of schedule 2 of the Commons Act 2006, and commons and greens recognised in statutory documents under paragraphs 2 and 3 of schedule 2). The finance committee had considered the financial aspect and considered the project to be affordable.
- 40/16 It was agreed to approve the project subject to regular reports being presented to trustees (in particular to ensure we are not being committed to a larger project than we could complete), and provided it did not take up too much staff time such that the benefits of the second case officer in reducing the caseload were lost. It was agreed that £10,000 would be absorbed in the 2016 budget and that £20,000 would be included in the 2017 budget.
- #### Legal fund and potential legal case
- 41/16 The trustees endorsed the recommendation from the finance committee that £20,000 be earmarked from reserves to allocate to the legal fund if needed and only if that expense was to be incurred. We would consider a further appeal to top up the fund in 2017.
- 42/16 John Lavery gave a full explanation of a potential judicial review of the London Borough of Ealing's intention to authorise an Oktoberfest on Acton Green Common. The society and its legal advisers considered this to be contrary to Article 12 of the Greater London Parks and Open Spaces Order 1967 (the 1967 order) since Ealing had not sought ministerial consent for the temporary structures on the common. We would be informed by Ealing's response to the pre-action protocol letter which we had sent on 1 June (without any commitment to proceed with the case) and the outcome of a judicial review, which was being heard on 8 and 9 June, of the London Borough of Haringey's decision to hold a festival on Finsbury Park. It was noted that the maximum exposure for the Acton Green case was likely to be £20,000 and that we would be in control of the case. It was noted that a judicial ruling on the interpretation of article 12 in relation to temporary structures would be invaluable in ensuring proper processes were followed for commercial events on commons throughout London, something which was of considerable concern to our members.
- 43/16 It was unanimously agreed to proceed with the case. The trustees said that, should this case not proceed, they were minded to be sympathetic to a request for funding for a similar case to test this piece of legislation.

- 44/16 It was noted that these additional projects were only made possible thanks to the generous legacies left to the society and it was agreed that we should endeavor to publicise this fact on appropriate occasions and in *Open Space*.

Plan for 2017 budget

- 45/16 The trustees agreed to follow a similar process for the 2017 budget as they had adopted for 2016. Any proposals for funding for new projects should be submitted by trustees and staff by the end of July using the formula approved in 2015. These would be considered by the finance committee on 8 September along with the first cut of the 2017 budget, and then by trustees on 22 September. The finance committee on 24 November would consider the 2017 budget and make recommendations to the 8 December trustees' meeting where the budget would be finalised and approved.

TRUSTEES' RESPONSIBILITIES IN THE WAKE OF KIDS COMPANY COLLAPSE

- 46/16 The trustees noted the paper from the treasurer and confirmed that they received sufficient financial information to form a view of the financial position of the society. The treasurer urged members to contact him if there was ever anything they did not understand. The trustees thanked the treasurer for his excellent presentation of the finances.
- 47/16 The trustees noted the Charity Commission's paper: *Charity governance, finance and resilience: 15 questions trustees should ask*.
- 48/16 The trustees approved the trustees' conflicts of interest policy with a few amendments (in particular relating to the need to withdraw from a meeting), and the revised trustees' 'declarations of interests' form which would be completed by each trustee after the AGM and shared between trustees.

MEMBERSHIP

Membership figures at end of May 2016

- 49/16 These were noted.

Report from membership working party

- 50/16 This was noted.

ANNUAL GENERAL MEETING 7 JULY 2016

Final agenda

- 51/16 The trustees approved the agenda.

Ballot paper

- 52/16 It was noted that we would prepare ballot papers for the election of trustees.

STRATEGIC PLAN: UPDATE ON PROGRESS

- 53/16 The trustees welcomed the update on progress on delivering the strategic plan and agreed to submit any proposed amendments to the office in time for them to be circulated beforehand for consideration and discussed at the September meeting.
- 54/16 It was also agreed to consider how we might involve our members more in our activities.

A CAMPAIGN FOR THE YEAR

- 55/16 It was noted that our strategic plan aim in paragraph 30a, of pursuing at least one major, high-profile campaign or initiative each year, was not practical since our work did not neatly divide into campaigns for a year.
- 56/16 It was agreed to amend this paragraph to: 'In particular, the society will at any one time pursue at least one major, high-profile campaign or initiative, bold and visionary where possible (as befitting the OSS heritage), identified and agreed through management arrangements and, where departing from our normal work, trustee endorsement.'

LOCAL CORRESPONDENTS

Reappointments

- 57/15 It was agreed to reappoint Harry and Aimee Alexander (Bournemouth and Poole Boroughs), Chris Bloor (Bath & North East Somerset, Bristol City and South Gloucestershire), Colin Sandford (Guildford, Surrey) and Rodney Whittaker (Elmbridge Borough, Surrey) for a further three years.

Appointments already approved

- 58/16 It was noted that since the last meeting the trustees had approved the appointment of Brendan Clegg to take on Eastbourne Borough (in addition to Wealden District), East Sussex, and Marion Law to take on Telford & Wrekin from Harry Scott, for one year in the first instance.

Appointments

- 59/16 The trustees approved the appointment of Simon Bunn (St Edmundsbury District, Suffolk) and Yvonne Hunt (Rochdale) for one year in the first instance.

Retirement

- 60/16 It was noted with regret that Edgar Powell was retiring as our local correspondent for much of Worcestershire in July this year on reaching his eightieth birthday, and that he had been an exemplary and impressive local correspondent for 23 years. It was agreed to mark his significant contribution by making him a life member of the society and presenting him with a card signed by all present at the AGM.

Reports

61/16 Chris Beney and Peter Newman had studied the reports and drew trustees' attention to the following issues.

Castlemorton Common, Malvern Hills

62/16 The trustees agreed to endorse with gratitude the general secretary's decision that Edgar Powell should be invited to continue his excellent work in opposing the enclosure of the common.

Sustrans

63/16 It was noted that correspondence with Sustrans was continuing.

Local correspondents' reports on our website

64/16 It was noted with concern that there had been a breach of security on our website whereby some local correspondents' reports could be found by a search-engine, it was noted that we are addressing it by investigating an intranet and it was agreed not to post the reports on the web until this issue had been resolved.

Insurance cover

65/16 It was agreed to clarify the insurance cover which we offered to local correspondents.

NOTE OF INTERNATIONAL ASSOCIATION FOR THE STUDY OF THE COMMONS CONFERENCE, BERN, SWITZERLAND

66/16 The trustees noted with interest the general secretary's report of the recent conference which she had attended.

PROFESSIONAL INDEMNITY INSURANCE

67/16 The trustees were not aware of any claims or circumstances or problems which may give rise to a claim.

ANY OTHER MATTERS ARISING FROM PREVIOUS MINUTES

68/16 The report was noted.

REVIEW OF MEETING

69/16 The trustees were content with the meeting.

ANY OTHER BUSINESS

- 70/16 Chris Beney pointed out that after the 2017 AGM he and Peter Newman would no longer be trustees. We therefore needed to find other trustees to study the local correspondents' reports, preferably with at least one other trustee doing this alongside Chris and Peter in the coming year. It would be helpful if another local correspondent could become a trustee. It was agreed to consider this as a matter of urgency after the AGM.
- 71/16 The chairman asked that, at the meeting immediately after the AGM, the trustees consider the appointment of a deputy vice-chairman to ensure we had officer cover in the event of both the chairman and vice-chairman being absent.

NEXT MEETING

- 72/16 This would be on Thursday 7 July at Friends House, London immediately after the AGM. The following meetings were on Thursday 22 September and Thursday 8 December at Friends House, London.

The meeting closed at 3.30 pm.

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