

**Minutes of the fifty sixth meeting of the Board of Trustees of
the Open Spaces Society held at 18.00 on Wednesday 17 February 2021
by videoconference**

PRESENT Phil Wadey (chairman)
Stuart Bain
Graham Bathe
Chris Beney
John Hall
Simon Hunt
Tara-Jane Sutcliffe
Steve Warr

IN ATTENDANCE Kate Ashbrook (general secretary)
Hugh Craddock (case officer) to minute 29/21
Frances Kerner (commons re-registration officer) to minute
29/21

WELCOME

21/21 The chairman welcomed Frances Kerner to her first meeting of the board.

DECLARATIONS OF INTEREST

22/21 There were no declarations of interest.

MINUTES OF MEETING ON 21 JANUARY 2021

23/21 The minutes of the meeting on 21 January were approved as a correct record and for publication on the website.

DECISIONS MADE SINCE THE LAST MEETING

Complaints procedure

24/21 It was noted that the trustees had approved the revised complaints procedure by email and it had been published on the website.

Office lease

25/21 It was noted that the trustees had approved by email the office lease, from 11 November 2018 to 10 November 2028 with a break date on the fifth anniversary. It was further noted that the rent was the same as for the previous lease but there would be a rent review in year six should we decide not to invoke the break clause. The general secretary reported that the signed lease had been returned to the solicitors.

RE-REGISTRATION OF COMMON LAND

26/21 Frances Kerner introduced her paper in which she summarised our work on applications in the seven pioneer areas under part 1 of the Commons Act 2006 where the deadline was 31 December 2020. We had submitted 78 applications in total, 58 of them during 2020. These were largely under paragraph 4 of schedule 2 to the Commons Act 2006 (waste land of a manor provisionally registered under the Commons Registration Act 1965 but subsequently cancelled so that it was not finally registered). She also outlined the work which we would be doing in the remaining pioneer areas of Cumbria and North Yorkshire, and in Wales.

27/21 In discussion, the following points emerged.

- a The trustees noted that the society has no control over how quickly the registration authority deals with applications made, and that in some cases this may take many years. For instance, Cornwall had received 130 applications, 37 of which came from us. The treasurer reminded trustees that an allocation of reserves has been set aside as an estimate of potential future costs of taking applications through to the end of the registration process. Few applications have yet proceeded to registration, so there is little history to judge those future costs, and it is not anticipated that all applications will be equally costly. Having made an application, there is no financial obligation on the society to incur any further costs, so no contingent liability arises. But it may turn out not to have been an effective use of the society's funds to make applications that it cannot later resource through to completion. So trustees may need to keep under review which applications to support if they are opposed, noting that by the time some of the applications come up none of the existing people might be available.

- b Paragraph 3 of schedule 2 provided for the registration of village greens awarded under an inclosure award. We had not made any such applications but it was agreed that we should alert those who were researching historic paths so that they could check inclosure awards for village greens—in Cumbria, North Yorkshire and Wales, where registration was still possible, and in other English counties where registration might become possible in future. We should also refer to existing sources, such as *Kain and Oliver, the Tithe Maps of England*, and inclosure commissioners' reports, to see whether they might alert us to unregistered allotments.

- c We had not begun investigating the position in Wales, and the society held far less relevant information than in relation to England, because Natural Resources Wales had not pro-actively shared data acquired under Part I of the Countryside and Rights of Way Act 2000 as had Natural England. We would probably start with a few pilot commons registration authorities to assess the resources we needed for the whole country.
- d It would be helpful to ensure that application sites were photo-documented at the time of application, so that any future changes to the site, perhaps deliberately undertaken to thwart the pending application, could be ruled out of relevance to determining the application, even if determination were delayed by many years.

28/21 The chairman concluded by thanking Frances and Hugh for the presentation and for answering questions, and said that this was wonderful work which no one else was doing. He was very pleased that the society was doing it, thanks to Jack Candy's legacy.

TRUSTEE EXIT INTERVIEW

29/21 The committee had received the note from Stuart Bain of the exit interview which he had conducted with the retiring trustee, and an opinion from John Hall on the matters raised. It was agreed that exit interview outputs must be depersonalised and that the trustees should take the opportunity to reflect to what extent they are fulfilling their duties of scrutiny. The question was raised of whether the board was sufficiently diverse and whether it interrogates enough.

30/21 It was agreed that trustees would reflect on the issues and that the question of diversity would be picked up in the discussion on board succession. The general secretary would reinstate the item 'review of meeting' at the end of each board agenda so that trustees had the option of discussing this.

BOARD SUCCESSION

31/21 Tara introduced her paper, inviting trustees to think about the skills gaps on the board and how we might fill them. It was agreed that, before the next meeting, trustees would complete the skills audit template from the National Council for Voluntary Organisations which had been circulated. The trustees who were due for re-election at the AGM this year were asked to indicate their willingness to stand.

ANY OTHER BUSINESS

32/21 Steve Warr said that the accounts were now with the independent examiner but because the examiner had to do this remotely without a visit to the office the process was taking longer. The accounts would therefore probably not be ready for consideration at the March meeting and would more likely be on the April agenda. The finance committee would meet before the accounts were presented to the trustees.

DATE OF NEXT MEETING

Thursday 18 March 2021 at 18.00.

The meeting ended at 19.10.

A handwritten signature in cursive script that reads "Phil Wadey". The signature is written in dark ink and is positioned above a horizontal dotted line. A solid horizontal line is drawn below the dotted line, extending across the width of the signature.

Phil Wadey
Chair of Trustees