

**Minutes of the seventy-fifth meeting of the Board of Trustees of
the Open Spaces Society held at 18.00 on Thursday 8 December 2022
by videoconference**

- PRESENT** Phil Wadey (chairman)
Graham Bathe (vice-chairman)
Stuart Bain (treasurer)
Chris Beney
John Hall
Simon Hunt
Tara-Jane Sutcliffe (from minute 172/22)
- IN ATTENDANCE** Kate Ashbrook (general secretary)

DECLARATIONS OF INTEREST

- 156/22 There were no interests to declare.

ANNOUNCEMENTS

Julie Boston

- 157/22 It was noted with sadness that Julie Boston, our former local correspondent for Bristol (1998-2000) had died. The general secretary had attended the celebration of her life in Bristol.

Horse and Hound volunteer award 2022

- 158/22 The trustees congratulated Phil Wadey and our member Sarah Bucks on winning this award, for their work in claiming more than 800 paths, and training others to do so.

Barking Tye legal case

- 159/22 It was noted that we had lost this case in the high court regarding works on common land in Suffolk. However, the judge, Sir Ross Cranston, had made a number of useful statements regarding the interpretation of the law and Defra guidance on works on common land, so the exercise had been worthwhile for us.

The Lizard, Cornwall

- 160/22 It was noted with pleasure that our application to register 116 hectares of lost common land on the Lizard had been approved.

Water End, Hertfordshire: instructions to counsel

- 161/22 The general secretary reported that she had authorised payment of £2,000 to counsel Philip Petchey, to provide an opinion on the refusal of an inspector to grant our application to register common land at Water End in Hertfordshire. There would be further information in due course.

MINUTES OF MEETING ON 3 NOVEMBER 2022

- 162/22 The minutes of the meeting on 3 November were approved, and it was agreed to publish them on the website.

FINANCE COMMITTEE

- 163/22 The trustees noted the draft minutes of the finance committee meeting on 4 December.
- 164/22 The treasurer reported that the finance committee is proceeding with tendering for the new independent examiner or auditor (the latter probably being necessary this year), and a recommendation will be brought to trustees in March.
- 165/22 He also reported that the transfer of our reserves to the Flagstone Savings Platform was proceeding well.

OPENING OF A NEW BANK ACCOUNT WITH CHARITIES AID FOUNDATION (CAF)

- 166/22 The treasurer explained that we have our deposits with CAF, which now requires us to open a current account. We wish to run that account in parallel with Barclays, as it would appear to be less onerous on time and resources, and to see whether in time we wish to use CAF alone.
- 167/22 It was agreed unanimously to open a new bank account with the Charities Aid Foundation.

MANAGEMENT REPORT, RESERVES SPREADSHEET, AND TREASURER'S COMMENTARY, TO 31 OCTOBER 2022

- 168/22 The trustees noted that the treasurer had assigned green RAG status to our overall position and to our performance against budget, due to management of costs and the legacy from Ronald Smith. In September he had assigned amber to our reserves because they were at that time yielding negligible interest. However, that is being remedied by the transfer to Flagstone and would now be green. He had also assigned amber to membership because the monthly members were, he believed, being processed at financial loss. Further research had shown that there was no loss, but improvements could be made using greater automation. This was being explored.

PROPOSED NEW POST: CASE OFFICER (ENFORCEMENT)

- 169/22 The trustees discussed the staff proposal to create a new post of case officer (enforcement), working 21 hours a week from home, to enable the society to make progress on three goals in the strategic plan relating to supporting legal action to enforce the law on commons, greens, and other open spaces; campaigning for highway authorities to fulfil their statutory responsibilities; and to require public bodies to enforce the law on public paths.

170/22 John Hall offered assistance with the appointment if we needed it. The trustees considered that the general secretary should have the flexibility to amend the number of hours worked in order to secure the right person.

171/22 The trustees unanimously approved the new post, for two years in the first instance.

PROPOSED CONSULTANCY: FINANCE ACT 1910 RESEARCH PROJECT

172/22 The trustees discussed the staff proposal to appoint a consultant to research the hypothesis that the majority of public paths are not identified on the Finance Act 1910 maps and therefore that the exclusion of such a route is not a valid reason to assume that a route is not a public right of way. The project would help the society and others to identify more qualifying routes for the definitive map, and would meet strategic plan goal SG3.

173/22 The trustees unanimously approved the proposal, with the expenditure coming first from the Find Our Way fund. They thanked Hugh Craddock for his idea and for the paper.

DRAFT BUDGET FOR 2023

174/22 The trustees unanimously approved the draft budget for 2023, as recommended by the finance committee.

175/22 They further agreed that over the next year the finance committee would design a policy for assessing our salaries, to ensure that we are aware of what other charitable organisations are doing, and how we fit with the sector.

INCLUSION WORKING PARTY: DRAFT TERMS OF REFERENCE

176/22 The trustees unanimously agreed to adopt the terms of reference set out in the paper, and thanked Stuart Bain and Graham Bathe for drafting them. It was agreed that the membership of the working party would be Stuart, Graham, and the general secretary or her nominee, and that any trustee is welcome to attend meetings.

LOCAL CORRESPONDENTS

Renewals

177/22 It was agreed to reappoint the following for a further three years: Ralph Holmes (Dorset, former Purbeck District and Weymouth & Portland District); David Howerski (Herefordshire, former South Herefordshire District); Chris Smith (East Sussex, Lewes District).

Retirement

178/22 It was noted with regret that David Williams was retiring as local correspondent for the London Borough of Hillingdon, a position he had held since 1996, with the London Borough of Ealing from 1998-2008. The trustees thanked him for his service and the chairman would write to him.

Reports from local correspondents

179/22 The local correspondents' reports had been circulated to the trustees, with comments from the staff, and John Hall had submitted observations to the trustees. The trustees thanked John for his work.

PROFESSIONAL INDEMNITY INSURANCE

180/22 The trustees were not aware of any new claims or circumstances or problems which may give rise to a claim.

MATTERS ARISING FROM PREVIOUS MINUTES

- 181/22 **Trustee succession (141/22):** It was agreed to consider this at the March meeting each year.
- 182/22 **Carbon footprint (153/22):** Stuart Bain said he had done some work on this and, having discussed it with the general secretary; felt that what he had proposed was not workable and too onerous for a small organisation. Graham Bathe offered to discuss this with Stuart and the general secretary to see if we could find a solution.

REVIEW OF MEETING

- 183/22 The trustees were content with the meeting.

DATE OF NEXT MEETING

- 184/22 The next meeting would be on Thursday 19 January 2023 at 18.00.
The meeting ended at 19.10.



Phil Wadey
Chair of Trustees