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**Minutes of the eighty-sixth meeting of the Board of Trustees of
the Open Spaces Society held at 18.00 on Monday 19 February 2024
by videoconference**

PRESENT Phil Wadey (chairman) (present from minute 33/24)
Graham Bathe (vice-chairman) (chaired to end of minute
34/24)
Stuart Bain (treasurer)
Chris Beney
John Hall
Simon Hunt
Tara-Jane Sutcliffe

IN ATTENDANCE Kate Ashbrook (general secretary)

DECLARATIONS OF INTEREST

18/24 There were no interests to declare.

ANNOUNCEMENTS

John Lavery

19/24 The trustees were sad to note the death of John Lavery on 15 January. He had been a trustee from 2013 to 2019, and had been enormously helpful to us, acting as our parliamentary agent, and dealing with members' queries and issues in London.

Staff matters

20/24 The trustees were sad to learn that Lucie Henwood, our finance officer, was leaving after seven years, and Jane Abey, membership assistant after seven months.

Surveying authorities' duties, legal case 23-14

21/24 The general secretary reported that, with the British Horse Society and Ramblers, we had been successful in the first of our cases on surveying authorities' duties. Cornwall Council had conceded that it must register definitive map modification order applications, regardless of whether it has received a certificate of notification of the application on landowners and occupiers; this was important because until an application is registered the route is not safe from extinguishment. Cornwall Council would pay £13,000 towards the claimants' costs.

MINUTES OF MEETING ON 18 JANUARY 2024

- 22/24 The minutes of the meeting on 18 January 2024 were approved and it was agreed to publish them on the website.

MINUTES OF MEETING BY EMAIL ON 31 JANUARY 2024

- 23/24 The minutes of the meeting on 31 January 2024, regarding legal case 24-01, were approved.

MINUTES OF LEGAL COMMITTEE MEETINGS ON 28 JANUARY AND 1 FEBRUARY 2024

- 24/24 The minutes of the legal committee on 28 January (regarding legal case 24-01) and 1 February (regarding delegated expenditure on court action) were noted.

DELEGATED EXPENDITURE

- 25/24 It was noted that the general secretary had approved up to £2,000 for counsel's opinion on matters relating to sections 130A-D Highways Act 1980 (case 24-03).
- 26/24 It was further noted that the general secretary had approved £410 for expenditure on professional books for the enforcement officer, which were outside the budget.

FINANCIAL MATTERS

Minutes of finance committee on 6 February 2024

- 27/24 The minutes were noted.

Management accounts to December 2023 and treasurer's report

- 28/24 The treasurer spoke to his report.

Management report to December 2023

- 29/24 At the end of the final quarter we had a deficit of £212,157 which was better than the budgeted deficit of £355,261.

Legacies and large donations

- 30/24 The finance committee recommended that trustees consider the future strategy on legacies, and the general secretary would produce a paper.

Reserves

- 31/24 The trustees noted that the treasurer was still intending to obtain financial advice for our reserves.

Designated operating margin

- 32/24 It was noted that the finance committee would review the methodology for calculating the designated operating margin, as it might currently be higher than necessary.

PROCESS FOR APPROVING ACTION IN THE COURTS

- 33/24 Phil Wadey, as chairman of the legal committee, introduced the paper which had been prepared by staff with input from himself. It had been discussed by the legal committee which had endorsed the recommendations.

- 34/24 After a full discussion of the benefits and risks, the trustees unanimously agreed the following:

To grant the general secretary delegated authority to approve action by local correspondents or case officers in the magistrates' court under the Highways Act 1980 sections 56 and 130A–130D, and to pursue in the magistrates' court an objection under the Highways Act 1980 section 116, provided that:

- (a) the case is reported promptly to the legal committee with a note of how many cases with delegated authority are outstanding, giving the legal committee the opportunity to rule that no further cases should be given delegated authority until one or more has been cleared (although further cases could be presented to the legal committee for approval);
- (b) there are no more than five cases on the go until they have been reported to the trustees after which the number can be reset;
- (c) the cases are listed and briefly explained in the quarterly report to trustees, and
- (d) there is an annual review of the process by the legal committee and report to trustees.

35/24 The financial policies and procedures will be amended to include this agreement in an additional paragraph.

IT POLICY

36/24 The trustees discussed and unanimously approved the IT policy for staff.

TRUSTEE RECRUITMENT UPDATE

37/24 The chairman reported that he and the vice-chairman had interviewed candidates on 16 February and that the general purposes committee would shortly take a decision on its recommendation to the trustees.

LOCAL CORRESPONDENTS

Resignation

38/24 It was noted with regret that Helen Slade had retired as our local correspondent for Isle of Wight. The chairman had written to thank her for all her work.

REVIEW OF MEETING

39/24 The trustees were content with the meeting.

DATE OF NEXT MEETING

40/24 Thursday 14 March 2024 at 18.30.

The meeting ended at 19.07.

Meeting dates for 2024 (all Thursdays at 18.00)

11 April

16 May

6 June*

4 July (AGM)

8 August

5 September*

3 October

7 November

5 December*.

* = quarterly meetings

A handwritten signature in dark ink that reads "Phil Wadey". The signature is written in a cursive style and is positioned above a horizontal dotted line.

Phil Wadey
Chair of Trustees