

**ANNUAL GENERAL MEETING  
OF OPEN SPACES SOCIETY**  
(limited company number 7846516, charity number 1144840)

**Minutes of the Annual General Meeting held at  
Friends House, Euston Road, London, and by videoconference  
on Thursday 6 July 2023 at 11am**

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**PRESENT**

Dr Phil Wadey	(chairman)
Mr Stuart Bain	(treasurer)

and 39 other members of the society, plus ten members of staff and one guest.

**APOLOGIES** were received from 13 members including our former chairman, Tim Crowther.

**WELCOME BY THE AGM CHAIRMAN**

- 23/1 The AGM chairman, Phil Wadey, welcomed everyone to the meeting, saying that this was the second time we had held a hybrid AGM. He explained that the meeting would be recorded on zoom, and gave some tips about the protocol for using zoom.
- 23/2 He said that one of the real pleasures of being chairman of the society was the knowledge that he was doing something in support of a wonderful campaigning organisation, at local level through our volunteer, talented, local correspondents, or nationally with staff meeting civil servants to press for legislative changes.
- 23/3 He criticised the government for its failure to provide any details on its promise in January to ensure that every household was no more than 15 minutes' walk from green space. Nearly 17 years ago the Commons Act 2006 had allowed the reopening of commons registration in certain circumstances in designated local authority areas, and in the short period of 13 years the society appointed staff and consultants to beat the deadline, and had applied for 86 pieces of land to be registered so far.

- 23/4 He went on to say that while deadlines with clear effect can be useful to stimulate public response, other deadlines can be far more sinister. We were dismayed when the Secretary of State for Environment, Food and Rural Affairs, Dr Coffey, had announced plans to reintroduce the cut-off date, more accurately known as Path Extinguishment Day, that her department had decided to repeal last year, without ever knowing what they were extinguishing. We continued to lobby for the exemptions to be brought in at the same time as the cut-off date provisions are commenced, as we fear that government will otherwise not get around to the exemptions that will save some of our rights of way. He therefore called on all who can to go out and apply to record the rights of way that are not yet on the definitive map, which might also mean that more households would be closer to guaranteed green spaces.
- 23/5 The chairman requested participants to limit the time of their contributions to five minutes maximum for proposers of motions, and three minutes for all other speeches.
- 23/6 He explained that all statutory voting had been done by proxy this year. In the event that any other business comes before the meeting, there may need to be tellers and scrutineers. He proposed that Sarah Hacking and Lucy McKean be appointed to these roles. This was agreed.
- 23/7 The chairman reported that 60 votes were cast and, in accordance with the mood of those who voted, he had applied all the proxies in favour of the motions.

#### **MINUTES OF THE ANNUAL GENERAL MEETING ON 7 JULY 2022**

- 23/8 It was agreed that the minutes be approved and signed: the voting was 56 in favour, none against, and four abstentions.

#### **MATTERS ARISING FROM THE MINUTES**

- 23/9 **Minute 22/13:** Locked gates at Primrose Hill Park. Simon Pearson had raised this matter at the last two AGMs. The general secretary explained that there was no obvious legal remedy, and that the Royal Parks would need to be persuaded not to lock the gates. In order to increase the pressure, we had asked CPRE London if it would join us in this endeavour and it had proposed various measures and agreed to consider a joint letter. We had asked Simon if he would kindly draft such a letter to go in the names of both organisations. Simon said that he considered that the society could have done more on this.

#### **ADOPTION OF TRUSTEES' REPORT FOR 2022**

- 23/10 The adoption of the annual report was proposed by Phil Wadey and seconded by Angela Bellwood.
- 23/11 The general secretary, Kate Ashbrook, presented the trustees' report and gave some updates.
- 23/12 Kate said that she was proud to work for an organisation which was brave, quick to act, and professional, and had such a brilliant staff-team. It was probably because of these qualities that we had been approached by three barristers from Francis Taylor

Building with an offer of *pro bono* help to intervene in the Dartmoor backpack-camping case. The court of appeal had allowed us to intervene, and the case would be heard on 18 July. We had also been involved in other legal cases, at Blackbushe in Hampshire, Richmond in North Yorkshire, and Barking Tye in Suffolk, for instance. Even where we had lost, as at Barking Tye, the action had been worthwhile as we had gained valuable quotations in the judgment which we could put to good use. The society proposed to step up its legal work and accordingly had appointed an enforcement officer to start in August, encouraging and assisting local correspondents in particular to serve notices and put pressure on local authorities and landowners.

23/13 In the last year we had taken on more than 1,000 cases on behalf of members, which was an extraordinary figure for such a small organisation and was a tribute to our three excellent case officers. Our commons re-registration officer was busy meticulously researching lost commons and putting in applications. We were also expanding our digital work, improving our website, and carrying out experiments to reach new audiences.

23/14 It remained difficult to make a difference at government level, but we were gearing up for an election next year. We had also done much work in Wales where we found it easier to make an impact.

23/15 It was thanks largely to the generous legacies of members that we were able to expand our work and create new roles. Kate ended by thanking the trustees, local correspondents, other volunteers, staff and members for their support and activities throughout the year.

23/16 The adoption of the annual report was carried by 60 votes for, none against, and no abstentions.

### **ADOPTION OF ACCOUNTS FOR 2022**

23/17 The adoption of the annual accounts was proposed on behalf of the board of trustees by the treasurer, Stuart Bain, and seconded by John Lavery.

23/18 The treasurer explained that, except for donations and legacies, income had remained static during the 2022 financial year. We had received a generous legacy from our former vice-president, Ronald Smith, of £782,438. The reduction in expenditure from the previous financial year was attributed in part to a drop of legal costs to £42,806 (£81,736 last year). The society would always consider legal action where it furthered its charitable objectives, vision, mission, and strategy.

23/19 Investment returns from interest or dividends were captured within the income section of the accounts—£59,444 (last year £53,729). The trustees were looking at alternative ways to maximise monies during this period of market volatility and a 'rate rise' environment.

23/20 In 2022, the Society was accepted onto the Flagstone Cash Management Platform. This allowed us to maximise the best interest rates available, ensured we remained protected by the Financial Services Compensation Scheme, and reduced administration for the team.



23/21 Sarah Bucks asked whether it was wise to keep money on the stock market when it was so volatile. The treasurer replied that he understood her concern, but the investments were for the long term, and we kept a close eye on them.

23/22 The adoption of the annual accounts was carried by 58 votes for, none against, and two abstentions.

## **ELECTION OF VICE-PRESIDENTS AND MEMBER OF THE BOARD OF TRUSTEES**

### **Vice Presidents**

23/23 In introducing the elections the chairman said we were fortunate to have such wonderful professional people as our vice-presidents.

23/24 Simon Hunt had proposed and Tara-Jane Sutcliffe had seconded the election of the vice-presidents. They were all elected as follows:

<b>Name</b>	<b>Votes for</b>	<b>Votes against</b>	<b>Abstentions</b>
Diane Andrewes	57	0	3
David (Lord) Clark	56	0	4
Mike Clarke	57	0	3
Roger de Freitas	59	0	1
Richard Mabey	59	0	1

23/25 Diane Andrewes was welcomed as a new vice-president. She was a long-standing member of the society and had been a trustee for a total of ten years, between 1993 and 2018. She was a founder member of the Bursledon Rights of Way and Amenities Preservation Group, which had been championing Bursledon's paths and access for more than 30 years, and had been secretary for most of its existence, as well as a member of Eastleigh Borough Council and Bursledon Parish Council.

23/26 In response, Diane said that she felt very honoured by this decision to make her a vice-president as she had admired this amazing and inspiring group ever since she became a member. It was a model for all small groups seeking to change the status quo in often hostile environments, and she was grateful for all the support given to her and her group over the years by Open Spaces Society trustees and staff.'

### **Trustee**

23/27 The chairman explained that there were three vacancies on the board of trustees, and one candidate, Tara-Jane Sutcliffe, who was seeking re-election after three years. Tara-Jane had been proposed by Stuart Bain and seconded by Graham Bathe. The voting was 60 in favour, none against, and no abstentions. Tara-Jane Sutcliffe was therefore elected as a trustee for a further three years.

## **APPOINTMENT OF INDEPENDENT EXAMINERS FOR 2023**

23/28 The treasurer explained that we had invited four firms of accountants to tender for the job of examining our accounts. Our current independent examiners, Villars Hayward, provided the best value for money and the service we needed. It was therefore proposed by Stuart Bain, seconded by Angela Bellwood and agreed that Villars

Hayward, chartered accountants and registered auditors of Henley-on-Thames, be appointed independent examiners for 2023. The voting was 59 for, one against, and no abstentions.

## **PRESENTATIONS**

### **Eversley Award for Outstanding Personal Achievement**

23/29 The chairman then introduced the Eversley Award which is presented on an occasional basis to individuals for outstanding personal endeavour, typically lifetime or long-term work, in the protection of commons, greens, paths, and access.

23/30 He was delighted to announce that the trustees wished to present the award to Ian Witham. Ian has served as our local correspondent in Norfolk since 1999, initially for North Norfolk and then extending to the whole county. During that time, he has quietly and effectively worked for all our interests—commons, greens, other open spaces, and public paths. He has saved paths from diversion and extinguishment, claimed many public paths, taken the council to court over a missing footbridge, rescued commons from encroachment, and won a new village green. He assists members in the county and, despite having paid employment, devotes much of his spare time to our endeavours. He has no car and relies on the limited public transport from a Norfolk village to do his work. He has had to stand up to a recalcitrant county council, in a predominantly rural area dominated by landowning interests and large estates. He always acts in a principled and pragmatic manner; he is not afraid to be a lone voice. He does not allow the criticism of others to deter him, and he courageously champions our cause in the face of opposition, but in a way which does not cause aggravation. Those who enjoy public access in Norfolk have Ian to thank for making it a better experience.

23/31 Ian had joined the meeting online. He expressed his pleasure at receiving the award, and thanked the society for helping him to undertake the work he was able to do in Norfolk.

## **ANY OTHER BUSINESS**

23/32 Peter Phillips, trustee and chair of asset management of the Box Moor Trust (BMT) in Hertfordshire, voiced his concern that the society had opposed BMT's application to deregister one acre of common land which it planned to develop in company with a housing association. Consequently, the inspector had rejected the application. The society had also indicated that it would object to plans to fence an area of common land. And more recently the society had made an application to register a ten-acre block of BMT's land. He wanted the society to leave BMT to get on with managing its land, and he asked whether the board of trustees had a view on these matters.

23/33 The chairman replied that the trustees support the staff and expect the staff to get on with operational matters. Regarding the re-registration there was a finite opportunity and just because land was safe today there was no guarantee that it would be safe in future. Registration as common land would bring that extra certainty.

23/34 Simon Pearson asked whether the society had a view on wind farms and said that Radnor Forest in Powys was particularly threatened. The general secretary said that we had a policy on our website which he could read. We had to balance these developments against the threat of climate crisis, and we looked at each case on its



merits. We would not normally get involved unless public paths, access, commons, or greens were threatened, and then only in certain cases.

23/35 The chairman thanked members and staff for joining the meeting and for their contributions. He closed the formal meeting at 12.18 hours.

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Following the AGM, members gave presentations as follows.

- 1 Phil Escritt (Herts): Securing better outcomes for access through the planning system
- 2 David Howerski (Herefordshire): The local correspondent experience: defects, data and determination
- 3 Phillip Durban (Somerset): A village green in a Somerset village
- 4 Sarah Bucks (Somerset): Submitting definitive map modification order applications
- 5 Hugh Craddock (OSS commons case officer): Wild camping on Dartmoor: the appeal
- 6 Michael Green and Angela Raif-Green (County Durham): The historic Blackwell Parkland, County Durham.