

LYDNEY RECREATION TRUST

PRESENT: Trustees D Biddle (Chairman), B Berryman (conference call),
R Christodoulides, B Pearman, D Street

Mrs J Smailes – Trust Secretary (CEO) Lydney Town Council
Miss C Wheeler – (EO) Lydney Town Council
Miss K Hammond – Admin Assistant

OVERVIEW NOTES RE. INFORMAL MEETING OF TRUSTEES OF LYDNEY RECREATION TRUST REGARDING WILDFLOWER/WILDLIFE CORRIDOR AREA AT LYDNEY LAKE ON MONDAY 23 MAY 2016 AT 11.30 AM (Map/Land Registry Title Deed attached)

1. The following Trustees were contacted and informed about the informal meeting – responses shown below:

D Beddis – Work commitments

J Greenwood - Apologies due to work commitments

C Harris - Apologies due to work commitments

H Ives – Message left on mobile’s answerphone re. meeting and requesting HI call office

C Legg - Apologies due to work commitments

A Preest - Apologies due to work commitments

D Pugh - Apologies (via wife) due to work commitments

2. **WILDFLOWER AREA AT LYDNEY LAKE**

The Trust Secretary drew Members’ attention to the Land Registry Title Deed (Absolute Title - showing easements in force 2009/2010) and ‘Absolute’ title map (*both of which were displayed before Trustees at the meeting*) showing that there were no easements in force for the residents who had complaints about the creation of the Wildflower area (Messrs Blake, Liddington, Brown, etc) however those with ‘legal’ right of passage (e.g. British Gas, etc), showed a charge against the land.

The map also highlighted that the Trust held ‘Absolute Title’ over the land Trustees elected to turn into a wildflower/wildlife corridor.

The Trust Secretary advised that the historic agreement to which Trustee Biddle had been referred to by two residents (Mr Blake/Brown, etc) dated 1984, showed that there had been an access right ‘by foot’ to the rear of several properties (vehicular/caravan by one), subject to them paying a specified fee per annum, however, it had proved almost impossible for the Trust to gain such sums from affected residents and in the last 20 years no such sum had been paid to Trust.

The Trust Secretary reminded those present that at the last Trust meeting on Tuesday 29 March 2016 (item 5.2) ‘Wild Flower Area by Lydney Lake’ all Trustees were asked to consider a plan for the creation of a Wildflower area/Wildlife corridor at Lydney Lake which would not only remove the requirement to ‘make good’ the scalped area but would also conform to the Neighbourhood Development Plan which supported the enhancement of local bio-diversity by providing wildlife corridors alongside Public.

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Rights of Way. During the Trust meeting Trustees were mindful that Lydney Angling Club and the owner of Lakeside House would need to be made aware of the planned work as they would still require access. It was resolved that disabled parking bays would be installed and that Lydney Angling Club would be informed that its members would be required to either park by Cambourne Meadow or utilise the additional car parking spaces recently created for Angling matches etc. It was noted in the minutes that the creation of such an area would result in neighbouring residents who did not possess an easement to cross Trust ground losing 'free passage'.

All Trustees (except Trustee Legg who declared an interest in the matter and excused himself from the meeting) voted unanimously that the Trust would remove the existing scalps and instead sow a wildflower seed mix along with the installation of disabled parking bays (the Trust Secretary sought clarification over the siting of two of the spaces and was advised that they were to be located by Lakeside House) with the approved contractor being instructed to construct such, adjacent to lake, mid-May 2016.

On Tuesday 12 April 2016 the Admin Assistant sent an email to the Trust Chairman and Deputy Chairman advising that a quote had been obtained for the work (following the action/agreement made at the previous meeting) the proposed plan was attached as requested. The Admin Assistant requested written confirmation/consent for the work to go ahead, to which the response from the Trust Chairman was '*I approve the expenditure*' (e-mail available upon request).

It was advised that the manner in which the wildflower area was to be created would still allow for pedestrian access only, so a number of Trustees were failing to understand why the residents wished to lodge a complaint on the Trust for the creation of such area.

The Trust Secretary further advised Trustees that on Monday 16 May 2016 at 11.30 am residents of 4 Cambourne Place were on-site at Lydney Lake and stated that they had documents in their possession which showed that they had an easement adjacent to the rear of their property. The Trust Secretary gave the resident three working days in which to provide a copy of such to the Trust office and during this period work was duly suspended; to date no such documentation had been received/presented.

Trustee Biddle advised that the residents complained that they had not been notified by the Trust concerning the work to be undertaken to the area. The Trust Secretary confirmed that this was correct given they did not hold an easement (Lydney Angling Club and Lakeside House owner (Mr Cormac Hayes) had been duly advised) and given they would retain the same 'agreement', despite no money being paid to the Trust (i.e. foot access/vehicular only where applicable).

Trustee Biddle advised that historically the Trust did not pursue attainment of the annual charge as Trustees felt that it was a small amount to legally pursue against those who defaulted. Trustee Biddle advised that the general consensus from the residents' point of view was that they felt they were being denied access to the rear of their properties and in some cases the residents had used such for over 60 years.

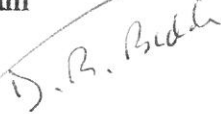
JRB

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Trustees were reminded that the Land Registry Title Deed (2009-2010) required Lydney Park Estate to confirm title, therefore any historic information was not pertinent. Following a short discussion during which Trustees had chance to view the new and historic documentation, the general consensus (but one – Trustee Biddle) was to carry on with the Wildflower area. If, at a later date the Trustees were provided with evidence that residents had a vehicular access right then the Trust would consider reinstatement on a case by case basis.

The Trust Secretary expressed frustration over the whole manner by which, yet again, one Trustee appeared not to accept a 'corporate' decision, one upon which he had voted in favour. The Trust Secretary advised that if five requests were received from Trustees before close of business today (*prior to Trust agenda being issued tomorrow*) then it would be added as a 'closed' session item, however if such was not received then she had a legal obligation under Lydney Town Council's Standing Orders to action the resolution and not stall such works further. Therefore the contractor would be instructed to recommence work tomorrow morning (24th June 2016) to create the Wildflower area in line with the corporate decision taken at the last Trust meeting.

- Meeting closed at 11.57am



D. B. Biddle