

LYDNEY RECREATION TRUST

TRUST MEETING – 13 January 2014 - 27

THE MINUTES OF THE EXTRA ORDINARY MEETING OF THE LYDNEY RECREATION TRUST held in the Council Chamber at Claremont House on Monday 13 January 2014 at 9.25 pm.

Present: Trustees D Biddle (Chairman), B Berryman, J Bevan, R Bonser, C Harris, V Hobman, C Matthews, B Pearman, A Preest, S Rudge and B Thomas

In Attendance: Two members of the public
Mrs J Smailes – Trust Secretary
Miss C Wheeler – Assistant Secretary

Trustee Biddle explained that he had elected to call an extra ordinary meeting to consider the matter of the footbridge which was used to access Trust ground from the East; primarily used on a regular basis by Lydney Tennis Club, as he understood that a number of Trustees would not be able to attend the scheduled Trust meeting on 27 January 2014 and therefore was concerned that the meeting would not be quorate.

1. **APOLOGIES**

Apologies for absence were received and noted from Trustee Osborne.

2. **DECLARATIONS OF INTEREST**

None.


3. **BUSINESS**

3.1 **Footbridge**

Prior to the meeting Trustees were provided with an overview of the events/actions taken to date; a copy of the independent structural engineer's report on the footbridge (which resulted in the bridge being decommissioned); copies of the original quotations obtained for the repair/"like for like" replacement; a copy of the advice obtained from the Environment Agency; copies of the quotations for an alternative (pathway); copies of the second quotation which provided for a bridge with disabled access; copies of the invitations which had been issued to contractors in light of the requirement for an increased width of bridge; together with copies of the quotations which had been obtained by a third party, namely Lydney Tennis Club for the repair of the existing footbridge.

Trustee Biddle explained that the issue of the footbridge had been brought back to the Trust (supported by the requisite number of Trustee signatures) to revisit the repair of the footbridge. Furthermore, that the matter had been brought to his attention by the Chairman of Lydney Tennis Club who felt that the Trust had not considered fully the repair of the existing bridge. Accordingly, Trustee Biddle questioned if the Trust wished to grant permission to Lydney Tennis Club to temporarily repair the footbridge, with the Trust then pursuing a replacement bridge in the long term.

Trustees were reminded they did not solely have to consider the repair of the footbridge, but could also consider its replacement/provision of alternative (pathway). Trustees were apprised of the Secretary's conversation with

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Mr D James, Western Power Distribution which had taken place earlier in the day regarding the re-routing of the electricity supply cable currently affixed to the side of the existing footbridge. It was noted that normally Western Power Distribution would require all service users (Lydney Tennis Club, Lydney Rugby Club and Lydney Recreation Trust) to cover the cost of the re-routing via payment of one third of bill. However, as the request would be submitted by the Trust it was likely it would be required to cover its third of the cost (estimated to be £2,500-£3,000), with the remaining two thirds covered by Western Power Distribution. The Secretary also advised that Western Power Distribution felt that they would be able to re-route the cable via overhead means and she advised that it would be advantageous for the Trust to re-route the cable, irrespective of the decision taken by the Trust. Accordingly, Trustees were asked if they wished to re-route the electricity supply cable to which no objection was voiced. **Trustee Harris proposed** that the work be undertaken, given the flood risk problems experienced. **Trustee Pearman** voiced agreement, adding that it would provide a safer solution and **seconded** the motion. The Secretary provided clarification as supplied by Western Power Distribution. Trustees agreed to the re-routing of the electrical supply by Western Power Distribution. Vote carried.

The Secretary also voiced concern that the quotations for the repair of the footbridge had been submitted in the name of Lydney Tennis Club and she cautioned that if Trustees elected to temporarily repair the footbridge the quotations would need to be re-submitted in the name of the Trust prior to an order being placed. It was highlighted by Trustee Biddle that Lydney Tennis Club had offered to cover the cost of the quotation by PASFAB Ltd (£1,000 plus VAT), however, the Secretary advised that such funding would need to be paid directly to the Trust and that if the Trust were to commission such works a further structural engineer's report would be prudent prior to the footbridge being re-opened given the Trust's responsibility for public safety and to protect against a third party claim.

Trustee Bonser proposed acceptance of the offer of £1,000 from Lydney Tennis Club for the repair of the footbridge, together with acceptance of the quotation from PASFAB Ltd. Furthermore, that the Trust would continue to look for funding to replace the footbridge. Trustee Biddle highlighted the need for an independent structural engineer to be appointed.

Trustee Pearman spoke on the mixed messages which were being given by contractors as some felt that the footbridge could not be repaired whereas others felt a repair to be possible and cautioned against agreeing to a "quick fix". Furthermore, Trustee Pearman felt that advice on any proposed repair should be obtained from an independent structural engineer prior to such a repair being undertaken. Trustee Matthews felt that the law of Tort (the reasonable man) should be applied; she questioned the discussion which had taken place at the last Trust meeting regarding the repair of the footbridge and the Secretary reminded Trustees of the enquiries which had been submitted to the contractors inviting them to submit their quotations for the (i) replacement, (ii) repair of the footbridge (copied contained within Trustee packs). Responding to a question which had been raised by Trustee Bonser, Trustees were advised that the structural report on the footbridge had been produced by an independent structural engineer who had

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visited Remnants, a copy of which had been supplied to Trustees with their original paperwork. Trustee Bonser felt that even if the Trust elected to replace the footbridge it would still require a structural engineer's report following the installation. At this point Trustee Bonser then re-iterated her proposal. The Secretary sought clarification from Trustee Bonser that she had proposed that the quotation from PASFAB Ltd be accepted, provided it was re-submitted in the Trust's name; Trustee Bonser confirmed this to be correct. Trustee Harris voiced concern over the disparity in costs between the two quotations for repair obtained by Lydney Tennis Club. Trustee Bevan felt that the Trust should also consider the provision of a footpath and Trustees were reminded that all options were open for consideration. At this point **Trustee Matthews agreed to second** Trustee Bonser's proposal (repair of footbridge by PASFAB Ltd). The proposal was then put to a vote which was defeated.

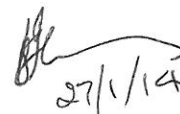
Trustee Berryman then proposed that the Trust pursue the provision of a footpath. **Seconded by Trustee Harris.** Trustee Bonser then spoke on the fact that Lydney Tennis Club would not be able to access their facility during times of flood; the need to routinely repair what she felt to be a concrete path; questioned liability if members of the public elected to walk across the top of the riverbank. The proposal was then put to a vote which was carried.

Resolved: To pursue the provision of a footpath.

Action: Secretary to gain quotations

Trustee Matthews then called for advice to be obtained regarding provision of access to the clubhouse at Lydney Tennis Club. Trustee Bonser voiced her opinion that the Trust was preventing access to the Club and had also prevented regular users of the ground from using the bridge. Responding to a question which had been raised by Trustee Harris, the Secretary advised that the quotations which had been obtained were not for a raised footpath and questioned if Trustees felt in a position to accept one of the two quotations already submitted. At this point Trustee Matthews expressed her disagreement with the decision taken by her fellow Trustees and exited the meeting.

After a short discussion it was agreed that consideration of the quotations would be deferred until the scheduled Trust meeting. Trustees were reminded that the re-routing of the electrical supply cable would now be actioned given no objection was voiced. The Secretary queried whether the Trust wished for the bridge to be removed (quotations to be obtained for such removal). It was **proposed by Trustee Harris, seconded by Trustee Berryman**, that the quotation from David Latham for the removal of the footbridge be accepted. The proposal was put to a vote which was tied. The Chairman elected to use his casting vote resulting in the proposal being defeated.


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The Secretary sought the opportunity to clarify that the bridge would remain in-situ at present; that the Trust would further the provision of a footpath gaining additional quotes; that the footbridge would remain decommissioned; that the electricity supply would be re-routed. Noted.

The meeting closed at 9.52 pm.

Chairman 

Date 27 JANUARY 2014