

# Newton Green Trust

Minutes 2 March 2016

	Actions
<p><b>Attendees</b> – R Bower, P Devlin, M Oliver, C Poole, F French, L Parker, J Bower (notes)</p> <ol style="list-style-type: none"> <li>1. <b>Apologies</b> – none received</li> <li>2. <b>Minutes of the last meeting and matters arising</b> The minutes of the December meeting gave the date and time for the next meeting as 9th January. Notes were taken of discussions during the walk to view the request to cut back trees on the A134.</li> <li>3. <b>Election of Chairman</b> Russ Bower was proposed and seconded. The Trust agreed to no longer rotate the position of Chairman.</li> <li>4. <b>Appointment of Treasurer &amp; Secretary</b> CP was proposed and seconded as Treasurer. MO was proposed and seconded as Secretary</li> <li>5. <b>Matters Arising</b> <ol style="list-style-type: none"> <li>a. <b>Trustee Declarations</b> PD had prepared an updated version of the document and circulated at the meeting for all to sign.</li> <li>b. <b>Cutting back of trees on A134 to improve sightlines</b> PD reported he'd met with the Tree Surgeon however he has sadly since passed away. PD suggested approaching Gary Flowers. All agreed.</li> <li>c. <b>Cutting back trees on playing field and removing dead trees</b> LP has spoken to the tree officer at Babergh they use Andy Gentle. It was decided go to both Gary Flowers and Andy Gentle to get quotes including the work on the playing field (dead trees and trimming of shrubs), with a view to establishing a long term maintenance/management plan. It was suggested work need to start at the beginning of April latest. LP to speak to Andy Gentle. MO to speak to Gary Flowers.</li> <li>d. <b>Quotes for long-term solution to Little Green track</b> MO updated that the Goldings rep will be coming out on 21 March at 3.00, this was the earliest date available. MO is waiting for another company to come back to him. CP said he would try and be there with MO. It was agreed to carry this item over to next meeting.</li> <li>e. <b>Hedge between Village Hall and Playing Field</b> CP advised that Alan Vince had raised this issue. Agreed to approach Gary Flowers as previously discussed.</li> <li>f. <b>Ditch clearance</b> The ditch adjacent the playing field and A134 needs clearing. The suggestion was to talk to John Taylor to see if it could be done at the same time as the one on the other side of the A134 adjacent his field, as both may require traffic control and therefore we might share costs.</li> <li>g. <b>Ruts outside Saracens Cottage</b> LP not been able to move this forward. General feeling is that bin lorries are chewing the ground up. PD suggested putting posts either side of the corner to prevent this happening. All agreed. PD or MO has spare posts PD will put them in.</li> </ol> </li> <li>6. <b>Works Programme</b> <ol style="list-style-type: none"> <li>a. <b>Ponds – Action following report from Leonie Washington, Suffolk Wildlife Trust</b> CP updated that he has loaded this onto the web page as suggested. It was agreed to approach the several contractors from the list provided regarding quote for the main pond. Quotes will be reviewed at the next meeting. MO agreed to contact the contractors.</li> <li>b. <b>Little Green Track – Annual repairs</b> It was agreed to wait for a quotation from Goldings on 21<sup>st</sup> March so that this could be included with the other maintenance quotes.</li> </ol> </li> </ol>	<p></p> <p></p> <p></p> <p></p> <p></p> <p></p> <p>LP &amp; MO</p> <p>JB</p> <p>LP</p> <p>PD</p> <p>MO</p>

<p><b>7. Golf Club</b></p> <p><b>a. 1<sup>st</sup> Green</b> Confidential minute provided to the Trust Members only.</p> <p><b>b. Use of practice hole for Fete event</b> The Parish council annual fete will be 1.00 pm – 10.00 pm – they would like to use the The School Hole as one of the attractions – asked the Trust if any objections. Date is 18<sup>th</sup> June. Would like to do a ‘pitch and put’ competition. Fred will take it back to the Golf Club as there will be concern about damage. Historically Golf club have helped out on Fete day. Fred will update at the next meeting or before. Suggested Paul Presland speak to the new manager at the Golf Club. The Trust has no objection, refer to the Golf Club.</p> <p><b>c. Aggressive play by golfers</b> It was raised at the last meeting by one of the villagers that there are a few golfers who have taken practice swings towards people in their cars when try to cross the Green. FF stated that there is a sign by the pro-shop saying golfers must be alert to vehicles and members of the public crossing the course, asking them to report any issues to the office. The Golf Club have also spoken through committee to their members about who they think are a potential problem. FF stated that unfortunately the Golf Club cannot police everyone on the course, they are doing what they can. FF said Golfers have same right of way as anyone else on the Golf course. FF also reported that there have been problems with dogs being let off the lead and not muzzled – there was recently a very unfortunate incident with a Deer which had to be destroyed. The owners of Pond Cottage say they are still having problems with people driving balls on the playing field ignoring signs asking golfers not to play towards the children’s play area. FF agreed to report this back to the Golf Club. FF said some people using the Green have been found to be non-members of the Golf Club, when this is discovered they are asked to leave. FF reported that the golf club are insured if any damage is sustained to a car while passing through the golf course, contact the Golf Club and they will sort it out.</p>	<p>FF</p> <p>FF</p>
<p><b>8. Finance</b></p> <p><b>a. Current figures</b> CP updated that he has gone back through the figures for the consolidated accounts for last financial year (CP had prepared 2 papers which were circulated at the meeting). The next bank statement will account for transactions between January and now and CP will then be able to pass this document to Mr Scott to carry out an independent assessment of the accounts. CP asked if The Trust want to do anything with the £84.90 raised at the recent Coffee Morning. It was agreed to retain at this stage and to give as part of future donations to good causes.</p> <p><b>b. CCLA &amp; Barclays Correspondence</b> It was agreed to amend the CCLA and correspondence addresses, both signatories RB and PD will need to sign the form when the Treasurer CP forwards the relevant paperwork.</p> <p><b>c. Insurance Renewal</b> Community Action Suffolk Insurance It was agreed to obtain a revised quotation from Community Action Suffolk Insurance including Public Liability, Employers Liability, Trustee Indemnity and the contents of the shed. LP to action. A Trust letterhead will be needed to acknowledge transfer of handling. The Chairman can write a letter to confirm it was agreed by the Trust. It was agreed to go ahead. CP advised the amount of £205.31 + £35.00 needs to be placed against the accounts before 1<sup>st</sup> April. The Treasurer was given approval to arrange the cheque.</p>	<p>RB, PD CP</p> <p>LP CP</p>
<p><b>9. Licences</b> PD updated that Mr Ashworth had sent an email regarding the issue of ongoing track maintenance. PD reported one person has obtained their right of way with a statutory declaration that the person has no maintenance obligations. People with no paperwork/licence have the legal right to obtain a right of way if access has been used for more than 20 years, this has no maintenance issues. This leaves 9 properties who did have a licence. We will be leaving the issue of maintenance to one side to simplify things. It was agreed that the Trust would carry on as they have been doing historically and look at maintenance requests on an individual basis. This was historically done to give everyone the same opportunity/rights. There is nothing written down anywhere as to who should maintain the tracks. There has never been any formalised agreement.</p>	

**10. Report back on progress.** PD welcomed affected property owners to the meeting. PD talked through the current situation.

PD explained that access to properties has 4 categories, from the records kept by the Trust. 7 properties already have easements in place, some paid for them between 1999 – 2004. 9 properties did have licences, 8 properties had no paperwork at all. The owners of those 8 properties could go to land registry and as long as they can demonstrate they've never been given permission they can gain access just with legal fees. One property has a right of way established in this format. There are 25 affected properties in total. This offer applies to 17 properties that already don't have a right of way.

PD explained that if property owners don't take up the offer at this stage, they may need to sort this out in the future if a buyer of their property required a mortgage. The reason being that mortgage providers will want to see proof of permission of right of way from your property to the main road. The Trust would like every resident to have a legal right to get from their property to the road. PD explained the difference between a licence and an easement following a question from the property owners. A licence can only be granted to person that lives in the property at that time. The licence doesn't stay with the property. An Easement stays with property. That is what mortgage providers want. This is permanent and forms part of the property's title deeds.

#### **Question and Answer session**

- Why the difference in fees £225 and £325? PD explained if the property is not already registered with Land Registry the process will take more time hence the higher cost.
- Why are some people not having to pay anything? PD explained that residents who have already got easement don't need to do anything. PD believes that all the residents who have already paid for easements needed to do so to sell their property.
- Will there be paperwork to prove they have the easement. PD confirmed yes the easement would be a legal document to be kept with their deeds
- PD advised that if property owners didn't want to go ahead at this stage and wanted to do this in 10 years time, the current Trustees would not be able to guarantee the same offer would be available The Trust has negotiated a favourable price from a local Solicitors as there are group of properties involved. The Trust will not be making any money from this.
- PD confirmed the maintenance of the tracks would remain a separate issue and continue as it is for now. PD updated the property owners that a contractor has been booked on 21<sup>st</sup> March to look at re-scraping and maintenance of the track. This is not the Trust's responsibility. The Trust only receives an income of £4k annually and can only do so much with this money. If funds are available the trust will consider how they might be able to help.
- PD advised that if all property owners agree to go ahead there are forms available to take this evening. Please complete them and drop them in to PD or post. PD will send them onto the Solicitor and keep a copy to keep track for the Trust. The Solicitor Alistair Keeble would need to deal with your Solicitor to finalise individual resident's paperwork, there may be an additional cost from your solicitor to finalise the paperwork. Some properties were told on sale they had a right of way, you may find you have an easement within your property papers. Please check this with your Solicitor.
- There was a question of which section of land was classified as Trust Land, PD circulated the map to clear show where The Trust land is in the village.

PD reiterated that The Trust is not forcing anyone to take this deal, and advised that all property owners should be checking their deeds and speaking to their own Solicitors.

#### **11. Saracen's Head: Request for grant of right of way.**

The Trust had received a letter from Punch Taverns requesting existing right of way be part of the sale of the Saracens Head. CP said this can be included with the offer of easement. It would automatically cease if The Saracens Head ever ceased to be a public house. The right of way that they request would be lost at same time as The Saracens Head ceases being a pub. Punch Taverns do have the option of a statutory declaration route but this would take time – they would

PD

<p>need to meet Trust legal costs. It was suggested £1K to The Trust plus easement costs. CP agreed to put them in touch with each other.</p>	CP
<p><b>12. Any Other Business</b></p>	
<p><b>a. Newton Notspot</b> – Improving mobile phone signal locally  CP updated that information regarding SALC had been received from the clerk at Holbrook. SALC look to speak to villages by means of shared access to identify clubs and playing fields to install communication masts in return for provide facilities, floodlights etc – depends on whether the site is suitable and planning permission available and whether required. All agreed terrible signal across Newton. LP commented that the Local MP is currently campaigning for this and the petition is currently active. CP agreed to contact SALC to find out more information. LP updated that Broadband should be improved by 2017 and added that there is a scheme available from Suffolk County Council (Suffolk Better Broadband) to access satellite broadband by way of vouchers for residents who have less than 2m download speed.</p>	CP
<p><b>Aggressive Golfer</b> – FF confirmed the Golf Club would like to put a paragraph together to go into local newsletter to say they are addressing it and taking it seriously. Fred to liaise with Sue Crawte – Editor.</p>	FF
<p><b>9 April – 40<sup>th</sup> anniversary of 1<sup>st</sup> trust committee meeting.</b> To mark the anniversary the golf club would like to invite the Trust committee to lunch on Saturday 9<sup>th</sup> April. The trust passed on their thanks for this invitation. All to confirm availability to FF.  There have been a number of attempts over the years to hold an annual meeting with the Golf Club. Fred reported a feeling in Golf Club that Trust and Golf Club are drifting apart. It was agreed to discuss this matter over lunch on 9<sup>th</sup> April.</p>	All
<p><b>Gate at the back of the field.</b>  A local resident has raised concerns that the gate has been left open on a number of occasions. LP confirmed the gate should only be open if the field is being cut or if there's an event going on, other than that no reason for gate to be open. LP asked if the resident could please notify a member of the parish council or trust if they see this happen again in future. A resident raised the issue they had not had a village newsletter since July (Pond Cottage). RB to speak to Sue Crawte ref distribution.</p>	RB
<p><b>Date of Next Meeting – agreed 20<sup>th</sup> April @ 7.30 pm</b></p>	