

# **CHARNEY HALL & FIELD TRUST**

**Joint Liaison Group - 26 January, 2022**

## **Addressing change - positional statement**

### **PREAMBLE**

This paper updates the draft document tabled at the end of the last meeting of the Joint Liaison Group.

#### **1. OWNERSHIP OF HALL & FIELD.**

CHAFT believes the two properties are held in trust by the Trustees of the Charity as a village hall and recreation ground for the local community.

It further believes the Trustees have individual and collective legal and financial responsibility for the management and financial control of the charity and its land and properties.

1.2 The above statement, based on advice from Community First, ACRE (Action with Communities in Rural England) and legal advice from a solicitor overrides the previously held view the properties were owned by the Parish Council, evidenced by

- Statement by Parish Clerk dated January 2004.
- Statement by Parish Clerk dated 2016.
- References in selected CHAFT and Parish Council documentation
- Inclusion, until recently, of the value of Charney Field in the Parish Council asset register

**CHAFT awaits the views of Parish Council.**

#### **2. PROPOSED CHANGES TO THE CHARITY'S GOVERNING DOCUMENT**

Following CHAFT'S decision to remain an unincorporated charity, the Management Committee is to consider whether changes need to be made to its governing document.

One matter likely to be given early consideration is whether the Management Committee should comprise solely of elected trustees in preference to the current system. Such a change would have implications for

the Parish Council and village organisations as they would lose the automatic right to representation on the Management Committee. An update on other possible changes to the governing document will be provided at the meeting.

**The Parish Council is asked for its views on the suggested change.**

### **3. LAND REGISTRY DOCUMENTS**

CHAFT is likely to take action to amend the land registry documents to indicate the Parish Council is the custodian trustee (subject to the outcome of matters referred at paragraph 1)

**The Parish Council is asked to concur with this proposal and indicate whether it will be prepared to contribute to the costs estimated at £500 to £750**

### **4. ENVIRONMENTAL POLICY**

CHAFT has a well-established and approved policy of relevance to issues referred to in this report and other 'whole field' improvements which are in the pipeline. It will be subject to review in 2022.

**The Parish Council is asked to note the policy** <http://charneybassett.org.uk/hq-ch/wp-content/uploads/2019/01/CHAFT-Environment-Policy.pdf>

### **5. MANAGEMENT RESPONSIBILITIES FOR CHARNEY FIELD**

5.1 CHAFT has now accepted management responsibility for the full parcel of land known as Charney Field. It is noted that maintenance of the Bridle Path, bridleway 158/5 and the two footpaths 158/2 and 158/3 is the responsibility of the County Council. Liaison is normally undertaken via the Parish Council.

5.2 In relation to the Bridle Path it is understood

- Oxfordshire County Council is responsible for maintaining the Bridle Path in a condition suitable for use by pedestrians and horse riders
- The three houses on the northern side of Bridle path, west of no 5, are responsible for maintaining the path in a condition sufficient for their vehicular access.
- CHAFT has right of vehicular access to Charney Field

**5.3 Management responsibility for the replanting of the woodland area is dealt with at para. 6 and the future management of the woodland area and the copse at para. 7. Reference is made to riparian responsibilities for Charney Wick Ditch and its northern bank at para 8.**

## **6. REPLANTING OF THE WOODLAND AREA**

**The draft replanting plan required by the Felling Licence (obtained by the Parish Council) has been produced in liaison with Wessex Woodland Ltd and agreed with the Forestry Commission. An oral update will be provided at the meeting. Appropriate safety policies and procedures are being developed specific to the replanting process.**

**The Parish Council is asked to welcome progress in developing the required replanting plan**

## **7. MAINTENANCE OF THE WOODLAND AREA AND COPSE (TO THE NORTHERN EDGE OF THE BRIDLEWAY)**

**A draft woodland maintenance plan is being produced in liaison with Wessex Woodland Ltd**

**It will take account of the requirements set out in the Felling Licence**

**An oral update will be given at the meeting and it is anticipated the draft plan will be submitted to the April meeting of the CHAFT Management Committee.**

**It would be helpful if the Parish Council could**

**a) confirm the availability of 'Charney Army' volunteers, where appropriate, to undertake agreed pre-planned maintenance activities (working to PC approved terms of reference and safety procedures)**

**(b) consider further, the creation of a reserve fund from which grants might be applied for towards the cost of any significant expenditure in future years**

## **8. MANAGEMENT OF CHARNEY WICK DITCH (CWD)**

**8.1 The parcel of land known as Charney Field extends to the northern edges of the watercourse as it runs alongside the Bridle Path and the bridleway. CHAFT, as landowner has riparian responsibilities to the midpoint of the ditch**

(unless the deeds of the landowners to the south of the ditch stipulate otherwise) It is noted that

- Owners of the properties at 4 and 5 Barnfield have riparian responsibilities for the full width of the ditch at the rear of their properties.
- Bridle Cottage and Brook Farm Cottage appear to have riparian responsibilities to the midpoint of the ditch

**8.2 An appropriate maintenance plan for CWD needs to be agreed by the riparian owners based on**

- what needs to be done
- how it should be done
- when it should be done
- who does what and who pays if costs are incurred

**8.3 Documented advice from local and central government places great emphasis on the importance of regular preventative maintenance and suggests much can be done without incurring significant costs.**

**Reference documents include**

- *Vale District Operational Flood Plan (VWHDC)*
- *Flooding: Ditch Clearance (Oxon County Council)*
- *Flood Related Roles of Parish Councils and Communities (Oxon CC)*
- *Riparian Ownership and Flood Risk (Oxon. CC)*

**8.4. CHAFT believes the Parish Council has an important role to play in stimulating appropriate action to help ensure relevant landowners fulfil their riparian responsibilities in accordance with government guidance and best practice.**

**8.5. In doing so, the opportunity could be taken to brief them (and other interested parties) on relevant changes relating to the ownership of the Bridle Path.**

**The Parish Council is asked for its views.**

## **9. CHAFT'S FIELD SAFETY POLICY**

**9.1 The existing approved safety policy for the field covers the grassland area (and children's play area) and needs to be updated to cover the full parcel of land known as Charney Field.**

**9.2 Safety policies and procedures (including safeguarding procedures) for the replanting of the woodland area will initially be covered in the replanting plan itself.**

**9.3 Safety policies to cover the woodland area and copse are under consideration including**

- **Appointment of one or more safety officer(s) to undertake regular (weekly?) inspections of the woodland to the southern edge of the bridleway for broken branches, pathway trip hazards, rabbits and badger holes.**
- **Annual condition check on the woodland area**
- **Five yearly 'specialist' check of the woodland area.**

**9.4 Safety policies for Charney Wick Ditch will be considered alongside pending arrangements for the maintenance of CWD (para. 8 above)**

**9.5 It is noted one option might be to extend the annual current independent annual inspection of the grasslands area every fourth year to cover the full parcel of land**

**9.6. The existing arrangements for the storage/burning of waste wood and material also needs to be updated.**

**The Parish Council may wish to comment on the proposed updates to the safety policy.**

17/01/22

▪