

MINUTES OF THE MEETING OF THE BECCLES FENLAND CHARITY TRUST HELD ON TUESDAY 6TH APRIL 2021 REMOTELY VIA ZOOM

Present

Councillors: A Lever (Chair), P McGregor, N Chidley, G Birrell, J Robinson, P Jackson, S Bubb, R Stubbings, G Catchpole, J Harris, J Walmsley

Secretary: P Cunningham
A Raven (Minute Clerk)
Councillor Caroline Topping (East Suffolk Council)

Members of the Public: 2

1. Apologies

An apology was received from Councillor Woodruff.

2. To receive declarations of pecuniary and non-pecuniary interests in items on the agenda

The Chair declared a pecuniary interest in Item 9 'Use of Skate Park for paid skateboarding lessons' and asked Councillor Stubbings to take over the Chair for this item.

3. To approve the minutes of the Beccles Fenland Charity Trust meeting held on Tuesday 2 March 2021

Councillor Birrell felt that a complete balance of comments had not been made at item 7 and she asked for the following amendment:

'Councillor Birrell spoke in response to say that the Secretary, Claire Boyne, had made her aware that Councillor Catchpole had kindly offered to review which ditches needed to be cleared to which she agreed, but asked to be kept informed. She only knew as much as everyone else from the update off Graham in the council meeting of 2nd and just wanted to be clear that she had not approved any spend or seen any quote'.

There was a proposal from Councillor Birrell for the above amendment to the minutes, seconded by Councillor Stubbings.

A vote was taken:

For	10
Abstention	1

It was therefore:

RESOLVED that the above amendment should be included in the minutes of the meeting held on Tuesday 2 March 2021

Councillor Jackson felt that, also at item 7, a comment he made should have been included as follows:

‘Councillor Jackson noted that this was a very serious matter and that, in view of Councillor Catchpole’s experience on this Council and elsewhere, his action can hardly have been made from a position of ignorance and one for which he did not seem very contrite’.

There was a proposal from Councillor Jackson for the above amendment to the minutes, seconded by Councillor Robinson.

A vote was taken:

For 7

Against 1

Abstention 2

It was therefore:

RESOLVED that the above amendment should be included in the minutes of the meeting held on Tuesday 2 March 2021.

RESOLVED to approve the minutes of the Beccles Fenland Charity Trust meeting held on Tuesday 2nd March 2021 with the two amendments above

4. **Matters arising from the minutes**

With regard to item 7 on the minutes Councillor Catchpole felt that the Trust does not need to hold a D1 certificate in order to remove silt from the ditches.

There was a point of order by Councillor Stubbings in that the minutes reflected what was said in the meeting and he would be asking the Environment Agency. Councillor Catchpole will also look into this.

5. **To receive the draft minutes of the Assets and Environment Committee meeting held on Tuesday 23rd March 2021 and consider the following recommendations:-**

RESOLVED To receive the draft minutes of the Assets and Environment Committee meeting held on Tuesday 23rd March 2021 and consider the following recommendation:

- i. to agree to implement Stage 1 of the proposal from the Water Management Alliance and to explore the possibility of funding from Suffolk County Council

Councillor Birrell spoke about having a lot of land in the Trust, with ditches, dykes, culverts etc, which presents the Trust with various water management/drainage issues. There is a report from 1985 which appears to be the only or last record in the office of when an official report was undertaken by an expert.

The committee enlisted the help of experts in the WMA as a consultant to advise them and they have identified areas of work required to help manage the assets and the risk associated with these, to have a better understanding of the land and the drainage.

She continued that what they will essentially provide is an operations manual. This then being a clearly set out management plan to be used by BTC/Fenland Trust, as their own reference guide and to set out an ongoing maintenance plan.

She added that there is a cost for their services and at this point to get started she would like the Trust's approval for item 1 of the quote 'Detailed flood risk management asset survey' at just under £4,000.

Councillor Birrell said they are actively seeking other avenues to access funding for further works from the County Council and District Councils as it would serve their interests also if the Trust was proactive in its own land maintenance especially regarding flooding.

She made the point that if the Trust is unsuccessful with the future funding for the further stages she felt that there is a requirement for the Trust to continue with it and to work out a way to finance it, but for now they are just asking for Stage 1. There was a question about what Stage 1 involved and Councillor Birrell explained that it would include an engineer to undertake and record a detailed asset survey which would assess and record such items as location, approximate dimensions, ownership, method of operations/purpose, age, construction material, estimate of residual life, operator safety and access and public safety and access, photographs, compilation of an asset register to summarise all data within.

In answer to a question about if this survey would give information about the life of the marsh pump, Councillor Birrell felt it would.

Councillor Catchpole said that the pump is maintained by a reputable company who can tell the Trust how long it's life is, they service it every year and the Trust does not have to pay for that information. He asked which areas are being looked at and Councillor Birrell confirmed it was the whole land in the Estate on the map which Charlie Middleton had supplied, and would include all the way down to the marsh pump.

Councillor Catchpole continued that the farmer that leases that land manages the drainage ditches on that land for which he receives land stewardship money from the government and is doing a good job. He felt that there would be no need to pay someone to do what the farmer is already doing.

Councillor Birrell pointed out that it also includes the Common, although Councillor Catchpole felt the cost for just the Common would be fractional. Councillor Birrell felt it would be helpful to have a better idea of how it all connects. She continued that no-one else has Councillor Catchpole's knowledge and experience and she felt it important to be responsible, as Trustees, with regard to the land and she felt that at the moment the Trust is not managing it properly.

Councillor Jackson asked about the farmer who is managing it at the moment, and who is deeming his management to be correct. Councillor Catchpole said that because he is receiving money from the land stewardship, his management will be inspected. He continued that the ditches are in good condition and it is in his own interest to make sure that his land does not flood. He felt that the Trust could ask the farmer to submit to the Trust the details of how he manages that land and what money he receives from the government, before the Trust pays someone else.

Councillor Jackson felt that this WMA survey would talk to all the stake holders and collate that information. He felt that there is, at the moment, a patchwork of activities that are happening over a big area, but there is not a strategic water management plan.

Councillor Chidley felt that the Trust would be paying, not only for the report, but for their expertise and this would future proof the Trust going forward. She pointed out that the WMA is a not for profit organisation.

It was pointed out that the problems with Anglian Water about the sluice gate being open/closed would be clarified by these experts.

The proposal made by Councillor Birrell was seconded by Councillor McGregor and a recorded vote was requested as follows:

For: Councillors Lever, McGregor, Chidley, Robinson, Stubbings, Birrell, Walmsley and Jackson

Against: None

Abstentions: Councillors Harris, Catchpole and Bubb

It was therefore:

RESOLVED to agree to implement Stage 1 of the proposal from the Water Management Alliance and to explore the possibility of funding from Suffolk County Council

6. To receive the draft minutes of the Finance & General Purposes Committee meeting held on Wednesday 24th March 2021 and consider the following recommendations:-

RESOLVED to receive the draft minutes of the Finance & General Purposes committee meeting held on Wednesday 24th March 2021 and consider the following recommendations:

- i. to defer the decision with regard to a request from Beccles Town Football Club for a 'rent holiday' and ask the Finance Officer to compile a list of relevant questions, including their income to date and whether they have received any government grants or funding

Councillor Stubbings reported, for information, that the F & GP committee had deferred the decision about a 'rent holiday' because they felt they did not have enough information from them, and they have asked the Financial Officer to compile a list of relevant questions in order to obtain further information.

- ii. to accept the quote from Technical Waste for Landspreading Licence SR210 No.4

Councillor Stubbings reminded councillors that this is for the Gas Dyke and is the nearest company, being at Bury St Edmunds, that they could get.

RESOLVED to accept the quote from Technical Waste for Landspreading Licence SR210 No. 4

- iii. to pursue immediately making the Secretary and Finance Officer signatories on the current account, and to remove the Locum Secretary as signatory

RESOLVED To pursue immediately making the Secretary and Finance Officer signatories on the current account, and to remove the Locum Secretary as signatory

7. To consider a request from Circus Wonderland to use the Quay in May 2021

There was clarification that the request is for May 2022 and not 2021. There was a question as to whether this would clash with the circus that comes annually. It was felt that it would be a good idea to ascertain when the annual circus comes.

There was a proposal from Councillor Catchpole that the request is granted provided that it does not come within 10 weeks of the annual circus.

This proposal was seconded by Council McGregor.
A vote was taken and it was therefore:

RESOLVED that the request from Circus Wonderland to use the Quay in May 2022 is granted provided that it does not come within 10 weeks of the annual circus.

8. To consider a quote received for dredging the dyke adjacent to the 'Hotel Marsh'

The Secretary said that he and Councillors Birrell and Catchpole walked the site and identified where the considerable difficulty with the flooding is, what the cause may be which is possibly potential blockage of the ditch that goes under the bypass. The Secretary had met with Paul Saunders who is the contractor who carried out the recent work on the ditches. He would have to use another contractor's dumper truck to move the deposits to the other side of the path, as he has only a small arm digger.

There was a question about whether this was acceptable as far as moving the waste is concerned and a reply is awaited on this from the Environment Agency.

There was a proposal from Councillor Stubbings to accept in principle the quote, pending clarification regarding moving the deposits, and get the work done to drain

the site ready for the antiques fair and to leave the decision to go ahead to the Secretary, after clarification. The proposal was seconded by Councillor Catchpole.

The Secretary pointed out that, even if the work was carried out now, he was not convinced that the site would be ready as a car park in under four weeks time. He felt that the Trust should engage with the organisers of the event at the start of May regarding a contingency plan.

RESOLVED To accept in principle the quotation for dredging the dyke adjacent to the 'Hotel Marsh' pending clarification from the Environment Agency with regard to moving the deposits, and to leave the decision to go ahead, to the Secretary, after clarification

9. **Use of Skate Park for paid skateboarding lessons:** to consider in principle whether this activity should be permitted.

Councillor Lever left the meeting for this item.

Councillor Stubbings said, for information, that Halesworth, Norwich, Loddon, Lowestoft and Great Yarmouth all allow this activity and A & E committee also agreed to allow children to have training in the skate park.

Councillor Birrell informed Councillors that at the A & E meeting on 11th January written consent had been received from Sport England and Wren, the two main funding contributors, that they had no objection to the request for the Trust taking a potential income from lessons on the park. The A & E committee had recommended to the F & GP committee to consider appropriate charges to use the skate park for private skate lessons. This was then sent back to full council.

Councillor Birrell gave some wider information, saying that most coaches will just use skate parks for lessons without having permission of the park owners. This is an opportunity for the Trust to ensure safety of all by requiring coaches to have public liability insurance, DBS checks, undergo safe guarding and first aid training.

The Trust could also check if coaches were registered with the governing body, Skateboard GB.

Lessons will be predominantly one to one or small groups (parent/child/sibling) so do not require extensive use of the park at any time, ie not taking up the whole area for public use. It would be envisaged that larger groups would be part of an event organised by the Town Council or East Suffolk Council, open day events for example.

Other councils have already given permission for lessons on their land.

She continued by mentioning the benefits of allowing official lessons on the skate park, which included setting the standard by only endorsing approved and licenced coaches, and requesting risk assessment. The local community would not need to travel further afield for lessons, reducing the need for transport.

The more access beginners have to lessons enables them to have understanding of the etiquette whilst using the skate park, ie taking in turns, only going as far as

your own ability, rather than starting without basic skills. The licenced coach, whilst on the park will also act as a deterrent for any bad behaviour or bad sportsmanship, which must be a positive thing.

Councillor Birrell gave a few facts for those less familiar with the activity and said that the postponed 2020 Olympics welcomed skate boarding as an Olympic sport, and Skateboard GB recently reports a massive resurgence with new and re-engaged skaters. The resurgence has been an unlikely outcome of the Covid lockdown with it's match with quarantine restrictions as people only require themselves, a skate board and a patch of flat ground.

She continued that there had also been big increases with females taking up the sport. There has been a worldwide shortage of skateboards to buy last year. Skateboarding is a way of getting people outside and a way to combat mental health issues with something they already enjoy doing.

Councillor Birrell felt this is something that should be considered for approval as already approved in the A & E committee under their terms of reference, to develop policies and procedures for any council owned land, property and equipment.

Councillor Bubb felt that it important to ascertain from the Charity Commission if a member of the Trust can benefit financially from it's assets and to make sure this would be legal. It was felt, however, that the decision today is to consider in principle whether this activity should be permitted by a third party.

Another opinion was that if lessons are charged for, it becomes a business. In principle training children to use skate boards properly is a good thing. There was a suggestion that a Club would be beneficial to the town as children could train for free. Certain families could not afford to pay for lessons. It was felt that if this is allowed, the Trust would have to decide what days it can operate on, how many hours and how many children or adults would be allowed to be coached and trained at the same time. This is a public open asset and the Trust does not give it's facilities away for free. It should go out to tender, like any other business.

There was a question about going out to a tender process and whether it was the right thing. It was felt, also, that this should probably have been discussed at F & GP committee.

There was a suggestion to ask how other council's are making this work. Councillor Stubbings felt that most other council's just say yes. Norwich has a licence process.

There was a comment about Blyburgate Hall as there are room hire charges, it is not given for free.

Councillor Bubb asked again that official confirmation is sought from the Charity Commission that the Trust is in order, and legal, by allowing a member of the Trust to earn money from the Charity Trust. However, Councillor Stubbings, felt that this discussion was about letting anyone do it , and not Councillor Lever in particular, and he felt that a licensing system would mean that a few people could have licences and control the times it is used, ie outside peak hours.

Councillor Stubbings proposed that the Trust accepts the principle that skate boarding should be permitted and that F & GP should lay down some basic rules (such as that only one person at a time should deliver lessons, that they should be outside peak hours, that there should be a limit on the number of people given permission) and also agree a licencing regime, including the certification applicants would need, such as a DBS certificate, Public liability insurance, safeguarding, risk assessments, appropriate training and first aid. He suggested that successful applicants that met these criteria would be awarded a licence, and there should be a licence fee, which the F & GP should agree. The Charity Commission will be contacted regarding allowing a member of the Trust to earn money from the Charity Trust. It was felt also, that the Trust should have an idea of the amount of lessons that are being held with regard to the amount of income being made from those lessons.

The proposal was seconded by Councillor Catchpole and it was therefore

RESOLVED To agree the use of the skate park for paid skate boarding lessons and that F & GP committee should lay down the basic rules and details, applicants must have a licence and that official confirmation is sought from the Charity Commission with regard to any member of the Trust earning money from the Charity Trust, and to do a financial assessment.

Councillor Lever returned to the meeting.

10. To receive the Responsible Financial Officer's Report and agree the payment schedules for April

RESOLVED To receive the Responsible Financial Officer's Report and agree the payment schedules for April

11. Any Other Business

Councillors Stubbings reported that Crown Estates have started to give permission to dredge the Gas Dyke. However, they want a £900 administration fee and a £2,400 licence fee. He confirmed that the licence is for one year to remove 1500 cubic meters of silt. In answer to a question about the cost of all the licensing required so far, Councillor Stubbings said it was approximately £15,000.

RESOLVED To pay the administration fee of £900 and £2,400 licence fee to Crown Estates with reference to the Gas Dyke dredging

12. Date of next meeting Tuesday 4th May 2021 following the Town Council meeting

RESOLVED That the date of the next meeting is confirmed as Tuesday 4th May 2021.