

Playing Field

1. Over the course of many weeks local resident Steven Appleby has carried out a sort of “shuttle diplomacy” between the Nuneham Courtenay Sports and Playing Field Association (the Association) and Nuneham Courtenay Parish Council (the Council).
2. Steven has dealt mainly with the people who chair the two bodies but he also spoken with other members of both and with the Clerk to the Council.
3. Steven has prepared the ground for a possible meeting between the Chairs of the two bodies to confirm what he believes is a way forward which he believes they both already support and which he believes both bodies are prepared to endorse.
4. This report summarises the process Steven has put forward rather than reproducing it in full.
5. The Chair of the Council asks the Council to:
 - a) Express its thanks to Steven for his efforts to create a solution to the obstacles that have prevented the Association and the Council reaching an agreement up to now
 - b) Express its thanks to the Association for engaging with Steven and being prepared to allow him to see the actual deed to the Playing Field
 - c) Agree that she can take part in a meeting with the Chair of the Association to start the process exactly as Steven has described
 - d) Waive its Financial Regulations so that the cost of an independent solicitor chosen by Steven examining the deed, as described below, will be met by the Council.

The proposed way forward

6. Steven proposes to facilitate a meeting with the Chair of the Association and the Chair of the Council at which the Chair of the Association will invite the Chair of the Council to look over the deed to the Playing Field.
7. The Chair of the Association will next summarise the Association’s understanding of what the deed means. The Chair of the Council may ask questions about the deed. The Chair of the Council will not take away either the actual deed or a copy of it.
8. Instead, the Chairs of both bodies would next confirm their organisations agree that Steven will select an independent solicitor

to read the deed and produce a summary in plain English that will in particular address the following questions:

- a) Is the deed reasonably considered in general terms to reflect the Association's understanding of it?
 - b) Does the deed represent either a better form of protection of the land being used (and remaining) as a playing field (or at least as good) as if the land were owned by the Council?
 - c) In the unlikely event that the deed does not represent a safe protection of the land, what could be done so it would, while remaining in the Association's hands?
9. The Chairs of both bodies would next confirm their organisations agree that, once it has been established how the playing field can be protected in perpetuity while remaining in the ownership of the Association, Steven would draw up a lease.
 10. By this means it is understood the Council will obtain a legal interest in the playing field sufficient to enable it to include the playing field in its insurance and to enable the Association to begin fundraising for play equipment.
 11. The Chairs of both bodies will also confirm their organisations agree that Steven should aim to create a lease which is acceptable to the Association and which the Chair of the Council feels she can recommend to the Council for approval.
 12. The Chair of the Council will next assure the Chair of the Association that she will recommend to the Council the draft lease she has agreed with Steven provided the Council's legal advice is that there is no reason why the Council should not accept it.
 13. The Chairs of both bodies will next confirm their organisations agree that Steven's draft lease would be put forward at the Council Meeting on a "take it or leave it" basis: there would be no further negotiation.
 14. Finally, the Chair of the Council will assure the Chair of the Association that the Council has no wish to undertake the day-to-day management of the playing field and will enter into an agreement that the Association will continue to be responsible for the running and development of the Playing Field.