

# Nuneham Courtenay Parish Council

<http://nunehamcourtenay.org.uk/>

Mr Ron Benson  
Chairman, NCSPFA  
Home Farm  
Nuneham Park  
Nuneham Courtenay  
OXFORD  
OX44 9PQ

Tuesday 17<sup>th</sup> August 2021

## **Nuneham Courtenay Playing Field**

The Council had met one week before its Chair received your letter and is not due to meet again until 14<sup>th</sup> September so I have been asked to write to you ahead of that meeting and all five councillors have approved this letter before I sent it to you.

The first thing to say is how pleased the Council was that you had written back to Madhvi, our Chair. And the Council also welcomes very much your statement that you would like to see the Playing Field protected in some way as a community asset.

There are various systems that exist to protect facilities which a community values. Most of them exist for situations where a community does not trust a landowner to preserve the facility for the community, such as situations where the community fears a shop or a pub or an open space may be sold to a developer.

But there is one well-known scheme which exists for a situation apparently like this where a landowner says it wishes to protect an open space for the future and that is the Fields in Trust scheme.

Fields in Trust is a reputable charity of longstanding. It was founded in 1925 by the future King George VI. Its patron is HM The Queen, and HRH Prince William Duke of Cambridge succeeded his grandfather HRH Prince Philip as President in 2013. I have enclosed a copy of an article

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about how the charity works with a landowner to protect an open space but you can see much more on its website.

One of the many attractions of choosing Fields in Trust is that the process of obtaining what is called a Deed of Dedication would probably cost no more than £80.

Although I have no doubt that the Parish Council would be willing to pay that cost, the councillors are aware that the Trustees might be reluctant to ask for money from the Parish Council.

But our district councillor, Sam Casey-Rerhaye, is currently seeking applications from within the four parishes she represents for use of a sum of £5,000 and the protection of an open space like the Playing Field is, we feel, something to which she might be very sympathetic. She is asking for applications by 1<sup>st</sup> October and the Council respectfully suggests you consider approaching her to fund the cost of a Fields in Trust Deed of Dedication for the Playing Field.

As to the rest of your letter, there are a number of matters where the Council's recollection of events is very different from yours but I think there are probably three where it would not be right not to make our disagreements clear both to you and to the whole parish.

In your letter you suggest that local resident Steven Appleby was a "parish council elected representative" when he attempted to mediate between the Association and the Council. This is unfair to him as well as to the Council. What made his efforts all the more admirable was that he acted entirely of his own accord, independent of both the Association and the Council.

The fact that his own efforts as a mediator did not in the end succeed cannot be used by the Trustees of the Association to justify any refusal to engage with the Oxfordshire Playing Fields Association.

The second point is that you make extraordinary claims about members of the Parish Council overturning Council decisions and use these as a basis for refusing to have anything further to do with the Parish Council.

The reason this is extraordinary is that legally a Parish Council can only take decisions in a Council meeting and that no individual councillor can overturn one of these decisions. Unlike meetings of the Association, every Council Meeting has to be advertised in advance and open to the public. There are no secret discussions and Council minutes have to be published on a website freely available to the general public.

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Any parishioner can see all the decisions the Council has taken and can see that no councillor has voted against any decision taken in the past few years about the Playing Field. I only wish the Association were similarly open about its meetings and its minutes.

The final point is that you say you are still waiting for the Council to respond to the draft lease drawn up for the Association by Beechwoods, an Oxfordshire firm of solicitors.

The Council has made clear long ago that its legal advice was to reject that draft lease as any basis for negotiation. A solicitor engaged by the Council described its provisions as "vexatious and irrelevant". The solicitor suggested Oxfordshire Playing Fields Association could almost certainly provide the text of a more simple and appropriate agreement.

The two organisations have already spent, we understand, about £2,000 on dealing with each other through lawyers and the Council believes the best way forward is not to continue to argue with each other at great expense in that way.

In conclusion, the Council hopes the Trustees will look seriously at the Fields in Trust option for further protecting the Playing Field. If the land was indeed left to you for the benefit of the children of the parish, we hope you will soon be true to that responsibility and make it once again fit for their use.

Yours sincerely,

Geoffrey Ferres  
Parish Clerk

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