

# Scolt Head and District Common Rightholders' Association

Founded 1984 Chairman

Secretary R Cooke  
r.cooke33@btinternet.com

## Minutes of a Committee meeting held at 7.00 p.m. on Friday 24<sup>th</sup>

### February 2023 at Brancaster Staithe Village Hall

*SH&DCRA*

287  
*COMMON  
RIGHHS*

*Held on*

*CL 65  
CL 161  
CL 162  
CL 124*

*To take:*

*Wildfowl  
Fish  
Seaweed  
Samphire  
Sand  
Shingle  
Shellfish  
Sea Lavender  
Estovers  
Herbage  
Fangle  
Bait  
Reeds  
Soil  
Game*

*To graze;*

*Cattle  
Horses  
P.....*

1. Apologies: Billy and Michael

2. The minutes of the meeting held 15<sup>th</sup> July 2022, draft minutes of which have been circulated to the Committee, posted on the SH&DCRA website - <https://rcooke330.wixsite.com/Scolthead> - and circulated via email. Agreed as a true record.

3. Matters arising and in hand:

a) CL124 and the RWNGC – curtilage car park. Agreed to keep on the agenda.

b) Brancaster Parish Council and Beach Road Car Park receipts: Court action – “Letter before action” also sent to RWNGC to put a hold on further payments to BPC. It was noted that; after giving Brancaster Parish Council more than the legally required grace to respond to the “Letter before action”, no response was received. A court action was then started in the Small Claims Court. This time Brancaster Parish Council were given 14 days to respond, but asked for an extension and were given another 14 days. When these further 14 days expired, SH&DCRA issued an application for a County Court Judgement against Brancaster Parish Council. The matter is now awaiting the court decision. The Association committee is aware that last minute legal steps by Brancaster Parish Council legal team cannot be ruled out.

c) Holkham Estate, Burnham Overy Parish Council and BOHT: A Tribunal Hearing will be held to look into the withholding of information from SH&DCRA concerning the legality of BOHT Charity status. It was noted that; the Charity Commission has decided not to appear at the Tribunal and will rely upon the stance of the Information Commissioners Office with regard to the withheld information. SH&DCRA have been in correspondence on and off since the early days of Burnham Overy Harbour Trust Charity concerning the unlawful nature of the charity’s unlawful “Charitable Objectives”. Burnham Overy Harbour Trust Charity and the Charity Commissioners have refused to disclose correspondence which SH&DCRA believe would confirm that both organisations are aware of the unlawful situation. SH&DCRA Committee are aware that there are many legal get-out clauses for the Charity Commission and Information Commissioners Office.

Chairman

Vice Chairman Mr S W Bocking

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- d) NT/BCC/BFC – NT and new Agreement proposals – reports re BFC and BCC meetings. SH&DCRA have withdrawn from any attempts to form a new agreement with the National Trust. The conditions that were being set by the NT were very detrimental to the common rightholders. Reports from the Brancaster Fairways Committee and Brancaster Commons Committee were given by those who attended the meetings. It was reported that, despite being a sub-committee of the BCC, the BFC seemed to be making all the decisions without discussion with the BCC; “tail wagging the dog” it was said. The next BCC meeting is on Wednesday 1<sup>st</sup> March.
4. Treasurer’s report: Treasurer is away. Reported that a bank account for the Trustees of SH&DCRA is being set up.
5. Brancaster Gun Club and BONWA – legal advice. No further correspondence from BONWA has been received. Brancaster Gun Club will discuss the advice at their next meeting. It was again reported that the full advice is being kept from members of BONWA and Brancaster Gun Club despite £2,000 of club funds being spent. A SH&DCRA response to the “abridged for public consumption” (?) version had been sent to BONWA secretary. It was noted that the questions asked of the Barrister were to have been made public too but that nothing was forthcoming so far. Major issues are concerns that there is membership in both clubs of non-common rightholders and that both clubs issue day tickets. It was noted that non-common rightholders are in fact “armed trespassers” according to the law.
6. Correspondence not covered by above:
- a. County Hall – split rights. Norfolk County Council will not share the costs of going back to the Barrister who gave advice concerning “split rights”. Again, it seems that Norfolk County Council asked questions of the Barrister that were not relevant to those that needed asking. It was agreed to keep the matter of split rights on the agenda until such time as further work can be done.
- b. NT regarding Dial House rental and heat pump. These matter will be brought to the attention of the NT at the BCC meeting and also the matter of fencing against the common.
7. Reeves’ reports: None – Reeves report to the working party meetings and are included in above decisions/actions.
8. A.O.B.
- a. Co-options on to the Committee. Since the last General Committee meeting Brian has resigned and Linda has been appointed. The Committee is open for any common rightholder to come forward for co-option. The Committee arranged for a gift to Brian and Betty.
- b. AGM arrangements. Covid has interfered with elections to the Committee, which is why co-options have been continually on the table. It was decided that

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the elections would go ahead as normal at this year's AGM on the 5<sup>th</sup> May. It was agreed that the use of a contractor to print and distribute the AGM papers would be priced up.

- c. SH&DCRA website: The site has now used up all of its free space and a subscription is required to gain more space on the web. The Committee will make a decision at its next working group meeting.
- d. SH&DCRA Constitution: It was noted that a few changes are required to bring the Constitution up to date. These can be discussed at a working group meeting and then put to the AGM.

## 9. Date and time of next meeting. TBA

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