

Scolt Head and District Common Rightholders' Association

Founded 1984 Chairman Mr M Bucher
michaelbucher@btinternet.com

Secretary Mr R Cooke
r.cooke33@btinternet.com

Minutes of a Committee meeting held at 6:30 p.m. on Friday

28th January 2022 at Brancaster Staithe Village Hall in the main room socially distanced.

6.3.2022

287

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Held on

£ 65
£ 161
£ 162
£ 124

To take:

Wildfowl
Fish
Seaweed
Samphire
Sand
Shingle
Shellfish

Sea Lavender

Estovers
Herbage
Tangle
Bait
Reeds
Soil
Game

To graze:

Cattle
Horses
Geese
Sheep

Note: Owing to the continuing Covid issues, this meeting was restricted in number to Committee and co-opted members.

1. Those Committee members present: M Bucher, R Cooke, S Bocking, C Cotton, T Gathercole, P Bickell, B Scoles. Apologies for absence: M Cooke, B Everitt, R Raisbury
2. Minutes of the meeting of Friday 12th November 2021 which had been circulated to the Committee were agreed as a true record.
3. Treasurers report: Cheques were signed for hall costs and printing expenses. Noted that money owing from the NT licences was being claimed.
4. Updates on matters in hand:
 - a) Community Action Norfolk (CAN). Secretary received a telephone call outlining limitations to legal advice that can be obtained from CAN.
 - b) Constitution, Trustee Addendum, Deed of Appointment of Trustees and transfer of Common Right. It was noted that there has been an objection to the registration of a common right gifted to the Association. Information from the Registration Authority is awaited.
 - c) CL124 and the RWNGC – curtilage car park. There has been no response from the Planning Inspectorate. Full details of the issue have been posted on the Association website. No other actions proposed at this time. (Agreed to keep website protocol as at present.)
 - d) Brancaster Parish Council and Beach Road Car Park receipts: There was a long discussion concerning what actions to take. It was noted that the Monitoring Officer has advised that it is a matter for the police. The External Auditors have also said that they will not progress their Audit until the police have reported. It was agreed that the secretary should send all of the evidence that has been sent to the Brancaster Parish Council External Auditors to the Chief Constable for Norfolk Police. No decision has been taken at this time concerning Court Action against the Council.

See below:

Chairman Mr M Bucher

Vice Chairman Mr S W Bocking

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An alternative minute 4d requested by Michael:

Reference para 4 (d) should read:

‘There was a long discussion concerning what action to take. The Chairman said he had asked a litigation lawyer what he would suggest, who noted that a police fraud action would need for the police to prosecute a 75% chance of success. This would be a criminal investigation not a civil one and likely to be very drawn-out. The Chairman said a litigation lawyer should be asked to prepare the case for a cost estimated initially at £1000 plus VAT to force the BPC to obtain legal advice. Some members of the committee thought this to be a cost which the association could not entertain and opted for the free police option. No vote was taken except by verbal expression, the Chairman declined to support the police action. It was felt also that the committee had received legal advice, not litigation action, already from Edward Harris.’

The wording from ‘It was noted that the monitoring...’ To the end of the paragraph can be retained.

Please insert my comments into the draft minutes

- e) Insurance: The NT has advised that the Association does not need to take out Public Liability insurance.
- f) Holkham Estate, Burnham Overy Parish Council and BOHT: The complaint made to the Information Commissioners Office concerning failure by the Charity Commission to respond to Freedom of Information requests has received a response. The matter is now under further investigation. The Land Registry has been in touch to say that it is still considering the application made by Holkham Estate to register creeks at Overy Staithe. The Land Registry will “serve notice” on the Association should the registration proceed; as a “potentially interested party”.
- g) NT Licence invoice. See above

5. National Trust Draft Proposals for the management of the common at Brancaster. These had been circulated to the Committee over a number of weeks and a number of amendments were made during the exchanges via email. The Association response has been made in the same format as the NT proposal document for ease of comparison. It was agreed that the secretary send the document to the NT, with a couple more amendments made on the night, for them to comment upon.

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6. Correspondence not covered by above:

- a) Application to amend the Commons Register made by the Association and Paul Andrew Wick.
- b) Norfolk Coast Partnership update.

7. Reeves' reports:

- a) Noted that the Dormy Triangle, CL162, seems to be ignored by the Brancaster Parish Council.
- b) The owner's common land boundary fence near "The Patch" on CL65 at Overy Staithe is possibly situated wrongly. It was agreed that the secretary contact "Jake" of Holkham Estate to see if a site meeting could be arranged.
- c) The secretary reported that the matter of "Spit Rights" was still with the legal department of the Registration Authority.

8. A.O.B.

- a) Noted that Natural England are advertising a post that seems to be connected with wildfowling along the Norfolk coast. Secretary to make contact as this is a matter that the Association has been working on with NE.
- b) Noted that the room at the NT Centre can be used by the Association free of charge. The secretary to contact BE to track down the original licence.

9. Date and time of next meeting. To be arranged.

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