

From: Annex 3
Sent: 30 December 2021 14:35
To: Allen, Gerard
Cc: Cllr. S. Fenton; Cllr. P. Widdowson; Cllr. A. Mason
Subject: Proposed disposal of land to the South of Nelson's Lane Dringhouses

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Dear Mr Allen - thank you for the opportunity to comment on this. I am writing to object to this proposal as it stands.

In response to a recent FoI request, I have been sent the background information on the Council's proposal to dispose of this land via award of a 25 year lease to the Friends of York Railway Pond and Reserve. The information confirms my initial concerns about whether the Friends is a 'properly constituted body' to be awarded this lease. It is clear that they are dedicated to the pond and have put in a lot of time and effort to look after it; but they are missing the essential components of a properly constituted body which would ensure that they will manage the site with full and appropriate public engagement and consultation. I have specifically noted that:

- their Constitution was drafted in 2018 but when submitted as part of the bid in 2020 it remained unsigned and unadopted. By definition, the group is not properly constituted without this. The Constitution refers to members and an AGM, but there is no evidence of either to date. This makes it a closed and unaccountable group, and not fit to hold a lease from the Council to manage a public amenity.
- the bid says they have 'a body of local people who have already agreed in principle' to become trustees and 'monitor their work'. There are no names or evidence of this, nor any indication of the process followed to find potential trustees: if they have already appointed trustees, there was no public advertisement or opportunity for people to get involved.
- their claim to be a properly constituted organisation lies in them having a bank account, which is not sufficient. It is not somewhere to hold funds that counts, but the mechanisms for planning, oversight and scrutiny of how those funds are spent in pursuit of the objects.
- the newsletter and notice of public meetings submitted and referred to in their 2020 bid document all date from 2017. There is no evidence (such a minutes) of any later public meetings or notices about these which undermines their claim that they either have held, or intend to hold, such meetings. Without public meetings, there is no accountability or community involvement.
- the 5 year plan contained in the bid consists only of a list of practical tasks to be accomplished in different areas of the site and shows no strategic thinking or longer term goals for the site.

I am very surprised that a 25 lease was granted to an organisation on the basis of this bid, in which it failed to demonstrate that it met the fundamental requirements of being properly constituted, and failed to demonstrate any mechanisms by which it would be accountable to the local community for its plans and actions. This is all in direct contrast to the Mayfields Community Trust (MCT) which manages the land north of Nelson's Lane, and has a membership, a website, a public list of trustees, a contact form and information on work undertaken; and holds an AGM each year to discuss these with both members and the interested public.

The Friends have a done a lot of good work around the Pond and Reserve, but if they are to be entrusted with its management for the next 25 years, they need to do so on a proper basis. The Council should, at the very least, give the Friends a deadline to rectify all of these issues in order to comply with the basic standards that should have been applied when their bid was first assessed by the Council. Only if they put themselves into the same position of accountability and transparency as the MCT should the proposal to offer them this lease be confirmed.