

## **Mawnan Playing Field Trusts Annual General Meeting to be held on Monday 1<sup>st</sup> August at 7.00pm in Mawnan Bowling Club**

### **Agenda:**

1. To receive apologies for absence
2. Confirmation of submission of Annual Trustees reports to the Charity Commission, including end of year accounts.
3. To discuss priorities from the community for the upcoming year for both playing fields

## **Public meetings of both the of Junior Playing Field Trust & Carwinion Playing Field Trust to be held concurrently on Monday 1<sup>st</sup> August at 7.15pm in Mawnan Bowling Club**

### **Agenda**

1. To receive apologies for absence
2. To received minutes from the last joint trust meeting on 31<sup>st</sup> March 2022
3. Any matters specifically arising from previous minutes (Carwinion Self Management Group; kissing gate spec; reinstatement of zipwire grassmat)

### **Carwinion Trust**

4. To receive details of current financial position
5. List of project works required for the building – how much has been done and what needs to be completed. To agree a working group to get these tasks done.
6. To discuss the separate issues of extending the carpark & adding an additional storage building to the MCA building
7. To receive an update report from the MUGA Project Team & status on planning application
8. To review the Fields in Trust Deed of Dedication document and consider approval to submission

### **Junior Playing Field**

9. To receive details of current financial position.
10. To discuss general maintenance of the site (cleaning of equipment; gate, fence & path issues; planting problems in the Sensory Garden; removing unused safety surface areas - (may include a report from Mrs Whibley on recent site visits).

11. Upgrading areas of the site: removing the sensory garden planting & replace with more 'natural' seating area inc. small areas of 'community planting'; adding raised beds / sand pits/ play areas for younger children; hard surface (or similar) below basketball net; bigger communal sitting area - including table games
  
12. Public comments - Questions can be asked to the chairman but may not be answered at this meeting

**Associated papers to this meeting can be found on the relevant page of the Parish Council website**

## **Annual General Meeting**

Item 1 - 3 – An AGM is a legal requirement and needs to be done once a year but can be included as part of a normal meeting. Trustees reports have been submitted to the Charity Commission for 2021/22.

## **Quarterly Public Meeting**

Item 2 - draft minutes attached

Item 3 - ongoing issues with formation / ongoing meetings of the Self management group.  
Request for spec for Kissing Gates from Cornwall County – may be better to replace than constantly reinstating faulty gate closures.  
Areas of grassmat need to be taken up, reseeded & replaced. This is now not just below the zipwire

Item 5 – list of project works supplied by Mr Ahearne last year. Notes from K Bate at the MCA to accompany.

Item 6 - car park extension & extra storage. Would a pre-fab concrete garage structure be more costs effective compared to a brick built structure? Additional brochure & costings attached.  
Is the extension of the carpark necessary at the likely cost? Will it stop parking on the road outside?  
Could an overflow carpark be created at the end of the field (football)?

Item 7 - pending from K Bate on the evening.

Item 8 - draft Dedication Document attached – some sections need to be agreed/ removed as explained.

Item 10 - list of general maintenance works that need doing – may tie into next item

Item 11 – suggestions from some users on upgrading works it would be nice to see.

# Carwinion Playing Field Trust

Carwinion Road, Mawnan Smith, TR11 5JA  
Registered Charity 1173925

# Mawnan Junior Playing Field Trust

Behind St Michael's Court, Carwinion Road,  
Mawnan Smith, TR11 5JD  
Registered Charity 1173926

## MINUTES OF ONLINE PUBLIC MEETINGS OF BOTH THE OF JUNIOR PLAYING FIELD TRUST & CARWINION PLAYING FIELD TRUST TO BE HELD CONCURRENTLY ON THURSDAY 31<sup>ST</sup> MARCH AT 7.00PM VIA ZOOM

**Present:** Mr R Sadler (chair), Mrs M Bate, Mr T Brooksbank, Mrs G Morris, Mr P Moyle & Mrs J Whibley

**Apologies:**

**Also Present:** Administrator (parish clerk) + Mr K Bate (MCA)

124.21 **To receive apologies for absence** – none noted

137.22 **Explanation of what 'The Trusts' are and the function of Parish Councillors as Trustees for new members.**

Mr Sadler noted that document sent out by the Administrator and hoped that all members had read it. It was important that the separation of the Trusts and the Parish Council were visible, hence separate meeting schedules.

Mr Brooksbank asked if the constitution documents could be resent to all Trustees.

138.22 **To received minutes from the last joint trust meeting on 8<sup>th</sup> November 2021**

It was proposed by Mr Sadler, seconded by Mrs Bate and

**RESOLVED** that the minutes of the meeting held 8<sup>th</sup> November 2021 now be approved and signed by the Chair

on a vote being taken this matter was approved unanimously

139.22 **Any matters specifically arising from previous minutes**

The Administrator said that Mr Sadler had not reported back on discussions with Tim Lugg about relaying the Zipwire grassmat.

The tree survey that was to be done had been voided by the contractor after major delays and the option of the 2<sup>nd</sup> quote was now unavailable (works could not be done until after Easter at the earliest). The Administrator asked if she should continue trying to get this done, or wait until after nesting season later in the year.

Carwinion carpark wall – this needed doing asap (before the Jubilee Celebrations) since it seems to be dragging on. Mr Moyle thought that adding a gate, rather than chain was better as fixings would not be in the body of the wall and subject to such damage. A removable bollard was also suggested. Mrs Bate was concerned that having anything that locked would make it difficult to

access the field, especially in an emergency. Suggestions of a combination lock also had the same issues. The Administrator was to look into those locks approved by emergency services.

It was agreed that Mr Moyle, Bate & Brooksbank look into drafting a specification for works asap, with a view to completing these before the Jubilee Bank Holiday. These would be sent out for general review once completed with a view to advertising the as soon as possible. Anyone with recommendations for contractors was asked to pass these to the Administrator as a matter of urgency.

It was proposed by Mr Brooksbank, seconded by Mr Sadler and

**RESOLVED** that Simon Spear be asked to draw up plans for the carpark/ wall, costed at approx. £100

on a vote being taken this matter was approved unanimously

**140.22 To agree date for Trusts AGM 2022.**

It was agreed to look to hold this in July, probably as an addition to any MUGA Project meeting. If not it would be as a prelude to the Parish Council meeting that month, since it appeared likely that there would be limited attendance and a separate meeting would be unviable.

**141.22 To receive the draft Annual Trustees report(s) and to agree any changes before submission to the Charity Commission along with the end of year accounts. (This is now a requirement with the change to CIO status) PLEASE NOTE- these will be in very draft formats that have not been reviewed so are liable to change.**

A statement was to be included that all meeting throughout the year were quorate for both Trusts and a better way of listing the active Trustees considered, as the current list appears to be very confusing.

Mrs Whibley asked that the plans for the self-management group be added into the 'future plans' of the Carwinion Trust report but the Administrator noted that this group had already met once, so including it in 'Achievements' was the best choice for it.

It was proposed by Mr Sadler, seconded by Mr Brooksbank and

**RESOLVED** that the Trustees reports for the Junior Playing Field Trust 2021-22 & The Carwinion Playing Field Trust 2021-22 be accepted as a true record and could now be published.

on a vote being taken this matter was approved unanimously

## **Carwinion Trust**

**142.22 To receive details of current financial position**

The Administrator explained that there was a healthy balance, some of which had been set into consideration for the large list of MCA refurbishments works that had been supplied.

It was proposed by Mrs Whibley, seconded by Mr Brooksbank and

**RESOLVED** that the stated financial position be accepted as a true record

on a vote being taken this matter was approved unanimously

143.22 **Use of the CPF for the Jubilee Weekend Celebrations and various ancillary matters (parking, insurances, licensing )**

The Administrator explained that currently only events directly organised by the Trust were covered by the general field policy. She was talking to our insurers to see if the remainder of the week's events could be covered by our policy or is they could be added for a small increase in premium.

Additionally a TEN license for the events – since most included entertainment or music, needed to be applied for and would be done in the next couple of weeks.

Mrs Whibley said that, at the last Jubilee Committee meeting it was proposed to ask the Rotary Club to provide assistance in arranging parking marshals along with an outdoor grill.

It was proposed by Mr Sadler, seconded by Mrs Whibley and

**RESOLVED** that the Trust is supportive with the use of Carwinion Field for all the Jubilee Celebration event by the parish community

on a vote being taken this matter was approved unanimously

144.22 **To discuss the Self Management Group; why had it not met after the inaugural meeting in Feb 2021.**

Mr Sadler accepted that this was partially his fault. It was agreed that the self-management group be restarted, with a defined set of boundaries (Term of Reference) as to what they would be expected to be responsible for. This would also include the need for a report to be provided to each quarterly Trusts meeting. Members from all the major user groups of the field would be asked to be included. Mr Moyle was concerned about the Trust losing control but it was explained that the Trust had no knowledge of the day to day working of the field and was already a step away from the users; a management group was what should be in place to bridge this gap with the Trust solely responsible for assuring that it's objectives are being met, not managing the field.

Mr Sadler also felt that the volunteer hours being put in by the teams/ user groups on maintenance/ repairs should have a proper log kept of them.

145.22 **To receive a report from the MUGA Project Team including a request to submit a planning application prior to further public consultation plans.**

Kevin Bate explained that there had been 2 public meetings to date, the first better attended, where the plans had been discussed with the community. Costings for the plans had been presented.

The next stages were to submit a planning application, which would then allow grant funding to start being sourced. Bishop Fleming had been asked to act as agent to source & apply for grant funding – this was quoted at £496.

Mr Sadler felt that this was really too good of an opportunity it miss at this point, as it had been something that had been brought up time and again over several years. Mrs Whibley said it was a 'now or never' opportunity given the commitment already shown.

It was proposed by Mrs Whibley, seconded by Mrs Bate and

**RESOLVED** that the Trust support the submission of a full planning application, followed by a further public consultation.

on a vote being taken this matter was approved unanimously

## Junior Playing Field

### 146.22 **To receive details of current financial position. To include a discussion on ongoing funding if improvement are to continue.**

The Administrator explained that there had been a missed PC Grant payment (bank transfer issues) that would bring finances into a better position for the upcoming year. Mr Brooksbank thought that it would be prudent to have a sinking fund for the equipment as it was nearing end of life. The Administrator was to gather information on if this was possible and if a request to the PC was possible.

It was proposed by Mr Moyle, seconded by Mrs Whibley and

**RESOLVED** that the stated financial position be accepted as a true record

on a vote being taken this matter was approved unanimously

### 147.22 **To discuss general maintenance of the site (cleaning, gate & fence issues, planting problems in the Sensory Garden, zipwire grassmat)**

The Administrator had spoken to Trebah about assessing the garden but they were not able to provide assistance at present. Mrs Bate suggested asking Glendurgan if they could come and take a look, Mrs Whibley also suggested that maybe the Garden Club and the Allotments could also be asked for help.

Mr Moyle felt that some of the original planting had just overgrown and, in the instance of the trees, should be added to the tree surgery quote for removal (or major pruning at least).

The new pedestrian gate did not have a spring closure on and unless physically secured remained open. The two other gates also needed the spring closures regularly replaced as they broke easily. It was suggested that the opening gates could be replaced with kissing gates – Mrs Whibley was to ask the Countryside Ranger for the spec used by Cornwall Council. In addition the springer (Ronnie Rabbit) needed to be replaced but no further communication about community fundraising had been received. It was agreed that the Administrator find prices for a similar item and circulate for a decision to be made and actioned asap.

It was proposed by Mr Moyle, seconded by Mr Sadler and

**RESOLVED** that costings to ensure that the current gates closed properly were to be sourced in whatever form was available and that the springer would be replaced as a matter of urgency

on a vote being taken this matter was approved unanimously

### 148.22 **To receive quotes for tree cutting at the site.**

Mr Moyle thought that the specification was incorrect and it should be that all of the ash along the Bowling Club boundary be removed, not cut back, to stop it requiring attention year on year. Mr Sadler said that this was too late to be included as we were here to discuss quotes on the current specification.

Three quotes had been received and these were discussed and

It was proposed by Mr Brooksbank, seconded by Mr Sadler and

**RESOLVED** that the quote received from Cornovia at £2040 be accepted for works asap

on a vote being taken this matter was approved unanimously

149.22

**Public comments**

MCA building works:

A list of desired works to the kitchen & pavilion (totalling £9600) had been provided previously and was discussed. It was agreed that the first 4 items (replace the kitchen ceiling; new worktop & cupboards; sink splashback & a new oven) would be prioritised along with works to bring the rear toilet to a useable state.

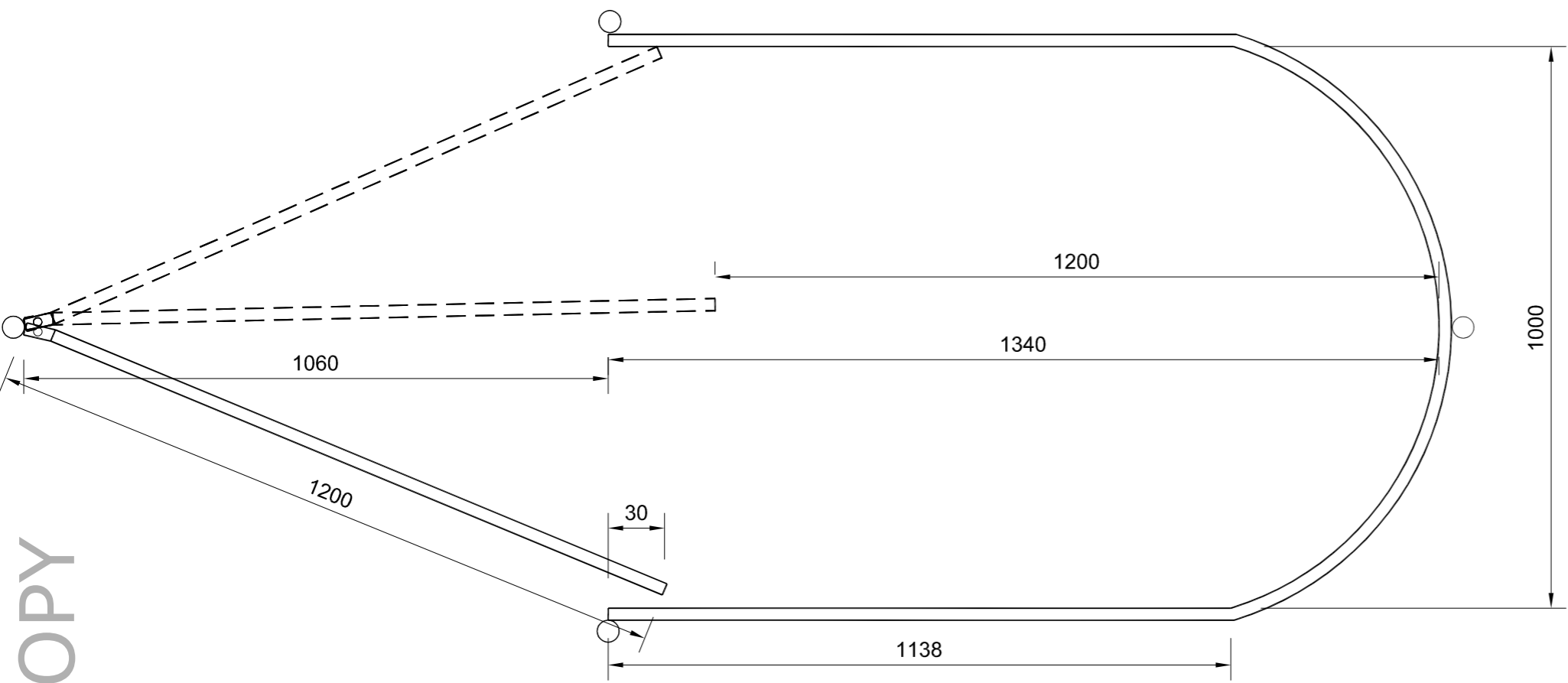
It was proposed by Mr Brooksbank, seconded by Mr Sadler and

**RESOLVED** that funding for the 4 noted items be agreed to and that works be arranged in conjunction with the MCA & volunteers.

on a vote being taken this matter was approved unanimously

Meeting finished at 8.45pm

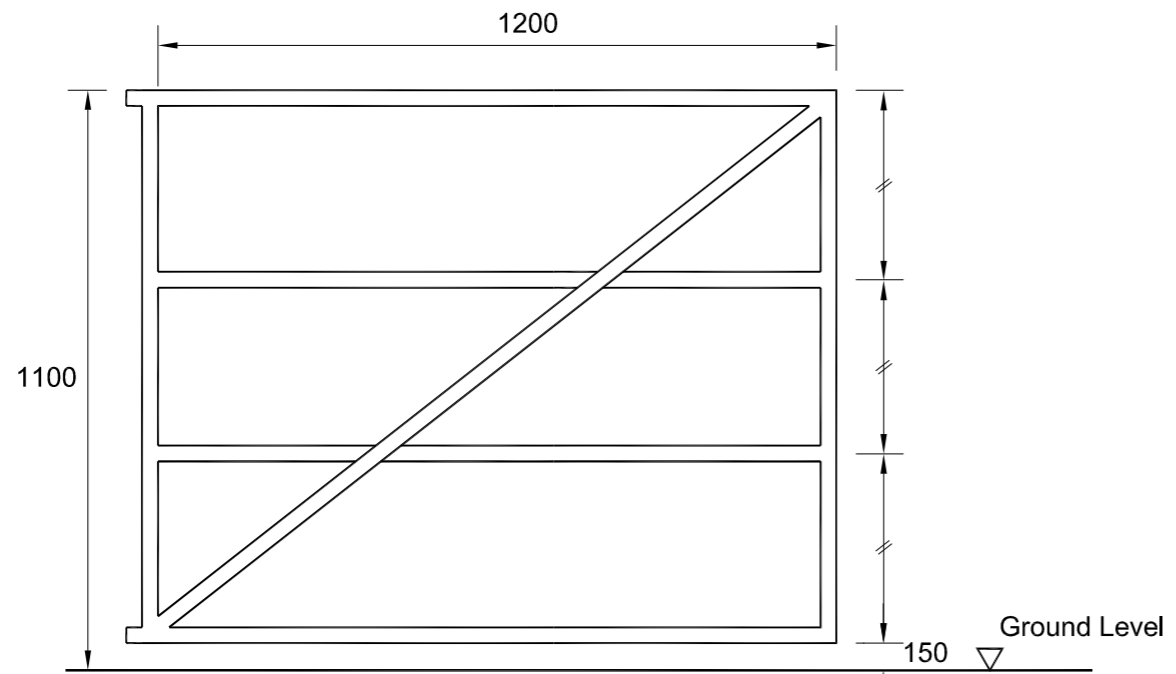
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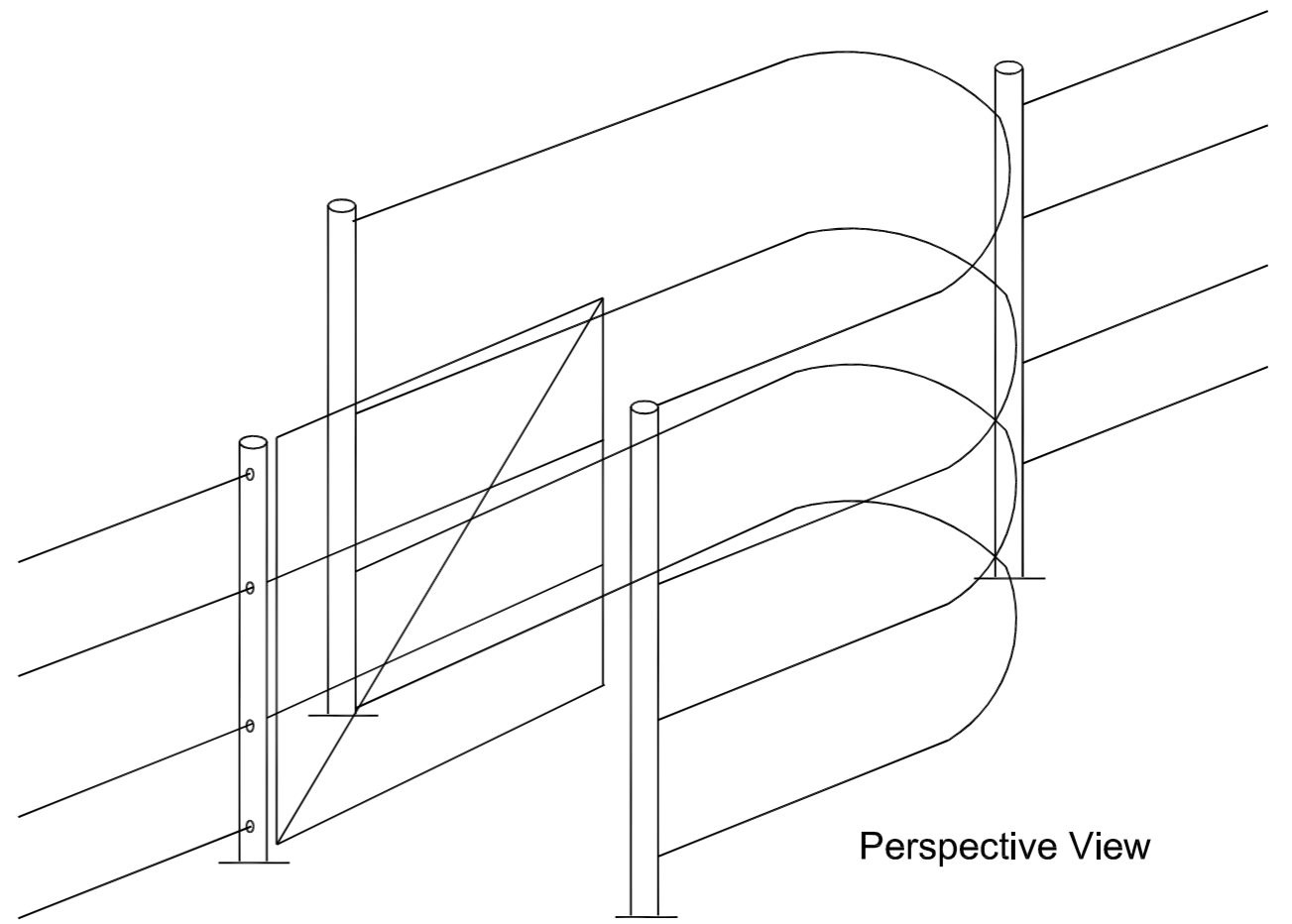
Plan

NOTES

1. All dimensions in millimeters unless shown otherwise.
2. Materials and sizes.  
  
Gate:- 50 x 30mm galvanised steel box section  
Strapping:- 50-100mm galvanised steel bar.  
Posts :- 75mm normal bore galvanised steel tube.
3. All steelwork shall be hot dip galvanised in accordance with the requirements of BS EN ISO 1461. All welds to be galvanised on completion.
4. Posts to be set in 350 dia. concrete mix C35.
5. Durable self closing spring system to be fitted.



Gate Detail



Perspective View

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**Highway Construction Details**  
Environment, Planning and Economy  
County Hall, Truro, Cornwall TR1 3AY

**Series 7000  
Countryside Access Works**

VEE	C	Mar10	RAF
RAF	B	May 01	RAF
RA	A	JUN 95	RA
Originator	Issue	Date	Approved

**Self Closing Steel  
Kissing Gate**

Drawing No. **70/29**  
Scale N.T.S.

**Carwinion Playing Field Trust (Reg Charity 1173925)**

**Annual Accounts for the Year 1<sup>st</sup> April 2022 to 31st March 2023**

The Carwinion Trust has no restricted funds

		2021-22	2022-3
<b>INCOME</b>			
<b>Regular activity</b>			
	Parish Council Grants (Section 19)	£1,161.80	£0.00
	MCA groundrent	£0.00	£0.00
	pre-school rent	£1,346.00	£722.00
	other income	£4.64	£0.00
	<b>Total Income</b>	<b>£2,512.44</b>	<b>£722.00</b>
<b>EXPENDITURE</b>			
<b>Administration</b>			
	Insurances	£1,458.63	£0.00
	inspections/ surveys	£0.00	£0.00
	Signage	0	£0.00
<b>Maintenance</b>			
	cleaning	£0.00	£0.00
	grounds	£0.00	0
	repairs	£0.00	£0.00
	statutory checks	£139.32	£0.00
<b>Misc</b>			
	wages	£431.80	£0.00
	other expenditure	£614.72	£0.00
	<b>Total Expenditure</b>	<b>-£2,644.47</b>	<b>£0.00</b>
	CFW Balance	£15,697.10	£15,565.07
	PLUS Excess of Income over Expenditure	<b>-£132.03</b>	£722.00
	unreconciled items	0	£0.00
	<b>Total Current assets</b>	<b>£15,565.07</b>	<b>£16,287.07</b>

## parish clerk

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**Subject:** FW: MCA proposed works

Mrs Lisa Clements (Clerk)  
Mawnan Parish Council Offices  
MS Electrical  
The Square  
Mawnan Smith  
TR11 5EP

Email: [clerk@mawnan.org.uk](mailto:clerk@mawnan.org.uk)  
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**From:** [batser100@gmail.com](mailto:batser100@gmail.com) [mailto:[batser100@gmail.com](mailto:batser100@gmail.com)]

**Sent:** 14 July 2022 15:55

**To:** 'parish clerk' <[clerk@mawnan.org.uk](mailto:clerk@mawnan.org.uk)>

**Subject:** RE: MCA proposed works

[Please see below](#)

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**From:** parish clerk <[clerk@mawnan.org.uk](mailto:clerk@mawnan.org.uk)>

**Sent:** 14 July 2022 14:06

**To:** Kevin bate <[batser100@gmail.com](mailto:batser100@gmail.com)>

**Subject:** MCA proposed works

Hi Kevin,

Sean Aherne left us with a list of works last summer that needed to be done to the MCA Hall but at one of our zoom meetings in the Autumn you did say that a number of these were either in the process of being done by the MCA members (such as the replacement kitchen) or had already been purchased (new oven).

We are now not sure at what state these jobs have been left and, as the landlords, would like to start getting these things done, especially given some of the feedback after the jubilee celebration week.

The list Sean left us with for the building was:

Replace Kitchen Ceiling – We have voluntary labour lined up for this and need to order materials for September commencement. Hoping to offset labour against rent.	Very old, in need of replacement	£1,200.00
Kitchen preparation worktop & wall cupboards (materials on site) Worktops and cupboard units are on site awaiting install in September, Labour as above.	Replace ageing tops as un-hygienic	£350.00
White hygienic cladding to rear wall above sink – Needs to be ordered for September delivery	Nothing there at present, unhygienic	£500.00
New Oven – New oven on site purchased by my Company, receipt available	Not working properly & beyond repair	£750.00
Spruce up toilets – No scope agreed	In need of repair	£800.00
Refurbish outside / rear toilet for permanent field use – No scope agreed		
New floor finish to main hall – Can firm up if grant available	In need of replacing due to wear & tear	£4,500.00
Spray coat gables & front elevation with coloured textured coating (white) clear rear elevation – Can firm up if money available	In need of repair	£1,500.00
I am meeting a plumber on site this afternoon as just before the Jubilee one of the header tanks split causing a leak in the corridor ceiling between the kitchen and the home changing room. I got them in to provide temporary mains supplies but we will need a new header tank or do away with them and change the shower hot water cylinders to pressurised. I am hoping to get some numbers to you for Thursday so it can be discussed as there are currently no showers for the cricket teams.	<b>TOTAL</b>	<b>£9,600.00</b>

Can you let me know what has been done already; if there are 2<sup>nd</sup> hand kitchen units just waiting installation somewhere pending decoration works and if you have any contractors who have already quoted, otherwise we will be looking to get the ball rolling on these jobs as we have works on the public toilets of a similar nature so would look at rolling these into one specification and getting them done relatively soon.

Ta

Lisa C

Mrs Lisa Clements (Clerk)  
Mawnan Parish Council Offices  
MS Electrical  
The Square  
Mawnan Smith  
TR11 5EP

Email:clerk@mawnan.org.uk  
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Mawnan Parish Council Areas for Funding Requirements				
	Area	Justification	Approx Cost	Area Subtotal
<b>MCA</b>				
	Replace Kitchen Ceiling	Very old, in need of replacement	£1,200.00	
	Kitchen preparation worktop & wall cupboards (materials on site)	Replace ageing tops as un-hygeinic	£350.00	
	White hygeinic cladding to rear wall above sink	Nothing there at present, unhygeinic	£500.00	
	New Oven	Not working properly & beyone repair (C Toland can confirm)	£750.00	
	Spray coat gables & front elevation with coloured textured coating (white) clear rear elevation	In need of repair	£1,500.00	
	Spruce up toilets	In need of repair	£800.00	
	New floor finish to main hall	In need of replacing due to wear & tear	£4,500.00	
	Refurbish outside / rear toilet for permanent field use			
				£9,600.00
<b>Carwinion Field</b>				
	MUGA	Sport & recreational facility for all - cost TBC		
	New wall in car park	Kev Bate has some options to include seating, cost TBC		
	New Storeroom/shed for all club equipment	Kev to send plans & approx cost TBC	£10,000.00	
	Patching to carpark surface			
	crown raising to outlying trees			
	flailing of internal boundary to road			
	flailing of external boundary to road			
	repair of boundary wall	agreed .. But cannot source contractor		
				£10,000.00
<b>Junior Playing Field</b>				
	New boundary fence - Bowling Club	In need of repair		
	New springer/ rocker equipment	broken and removed Spring 2021	£1,000.00	
	topsoil to finish edges of wetpour surfaces	needed for H&S following fence removal around old sensory garden/fort		
	grassmat relaying - extra tiles & reseeding under zipwire	H&S requirement		
	new signages	noted in Play inspection		
	new gates / replacement clousures	problem with gates age - will need replacing as they fail		1 done / pending rest
	fix benches	noted in Play inspection		
	Tree works to whole site - lopping along footpath; felling at Abbeyfield end	trees causing light/debris problems along footpath; general age/size on rest of site		pending
	remove old safety surfaces & re-instate grass			
	remove & refurbish zipwire - especially end seating	noted in Play inspection		
	sensory garden refurbishment/ replanting			
				£1,000.00

## parish clerk

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**From:** Simon Spear <simonspearcad@gmail.com>  
**Sent:** 06 May 2022 10:43  
**To:** 'parish clerk'  
**Subject:** RE: plans for the Carwinion Field Carpark  
**Attachments:** 22022-01\_Car\_Park\_Layout\_A3.pdf

Hi Lisa,

Please see attached the scheme for the parking layout at Carwinion Field, I have run this past Kevin Bate who is copied in on this email, please can you forward onto Tim Brooksbank as I don't have his email.

Using current standards the existing layout can hold 19 cars. With the wall moved out 2m to run in line with the concrete footpath the proposed layout can fit 26 cars, an increase of 7 spaces.

Kind Regards

Simon Spear

2D & 3D CAD Services E : [simonspearcad@gmail.com](mailto:simonspearcad@gmail.com) M : 07496 878 163

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**From:** parish clerk <clerk@mawnan.org.uk>  
**Sent:** 11 April 2022 12:32 PM  
**To:** Simon Spear <simonspearcad@gmail.com>  
**Subject:** plans for the Carwinion Field Carpark

Hi Simon

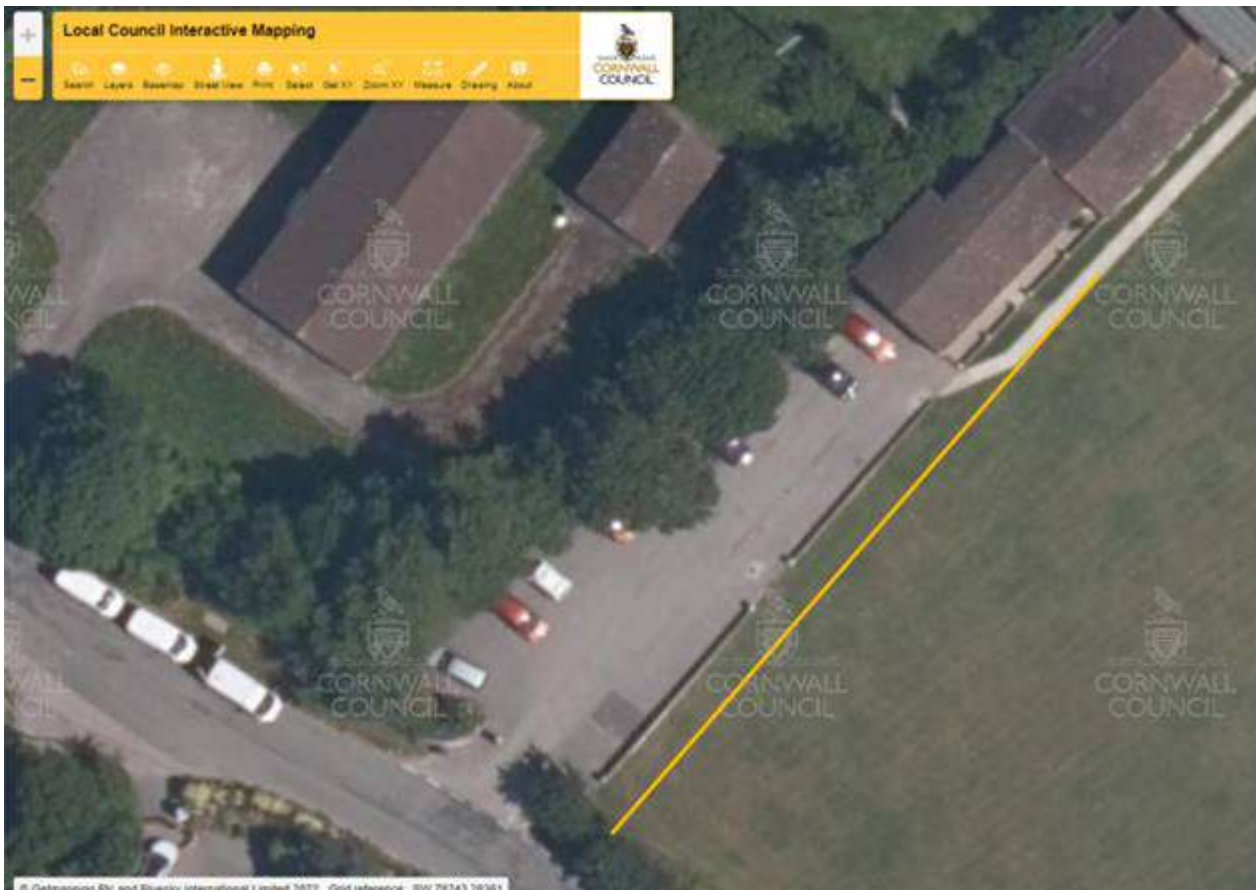
During a ZOOM meeting of the Trust last week Kevin seemed to contact you to ask if you could provide a set of plans for an extension to the carpark and revision of the parking set-up into a 'chevron- style' to increase capacity. He said a fee of £100 was stated.

We need this asap – as we have to get the dilapidated wall sorted before the Jubilee Celebrations on the weekend of 1<sup>st</sup> June.

We need to know if an extension into the field and change to parking setup would increase capacity of the carpark enough to warrant it – if we are only adding a few spaces it doesn't seem useful. The guestimate on current capacity is 24/25 normal cars, close parked. The current entrance cannot change so all traffic in and out would need to go through the existing granite gateposts and of course the cars can only come/go facing outwards.

Can you let me know a timescale for this and if the £100 to get this done was correct?

The agreement with cricket is that we can have about 2m of space – the new carpark wall would be level with the current concrete footpath between the MCA & preschool as indicated in yellow below...



Ta

Lisa C

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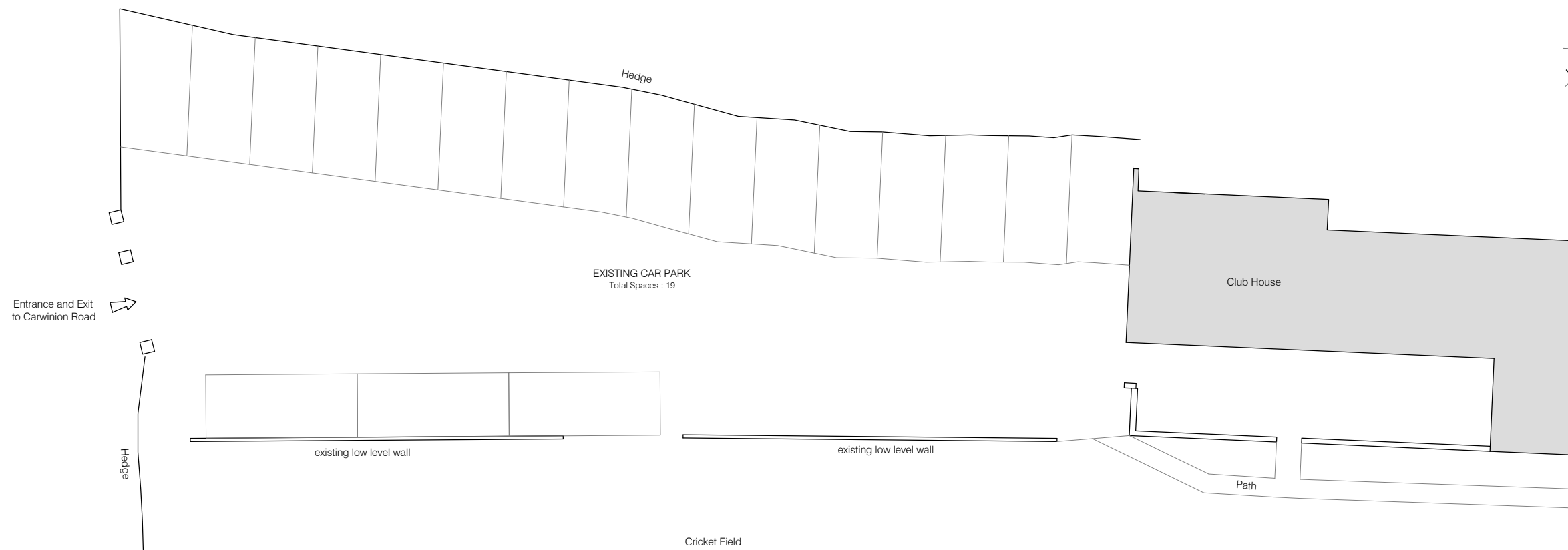
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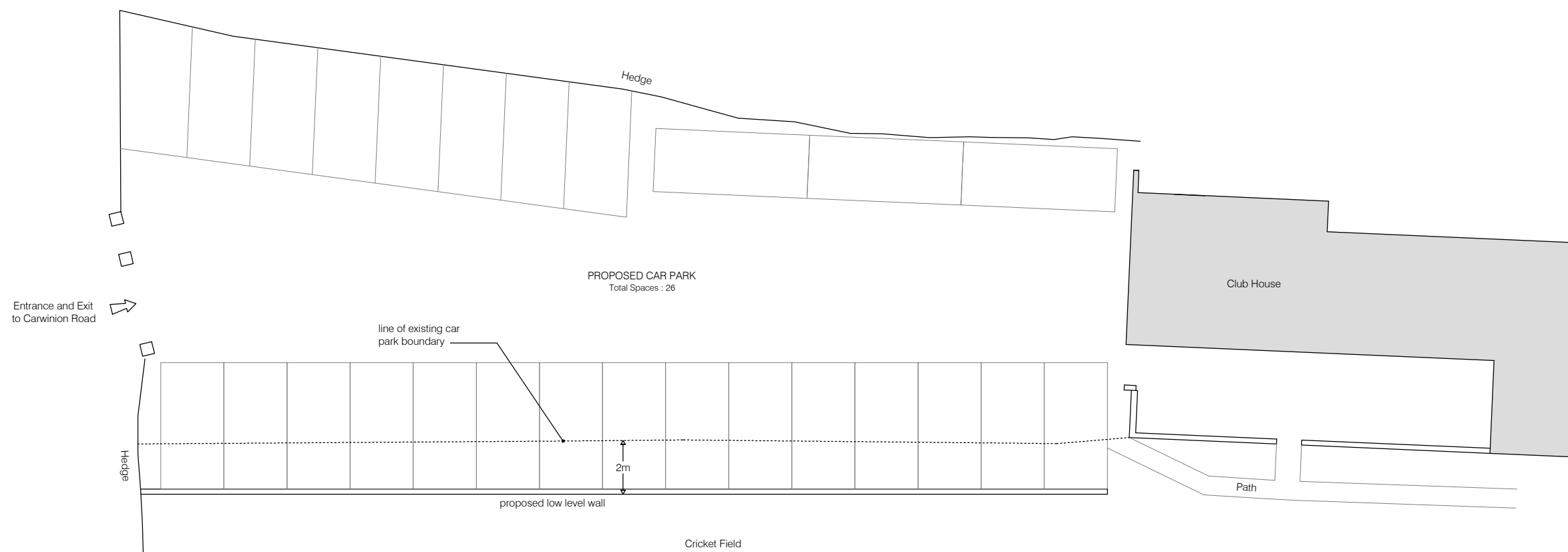
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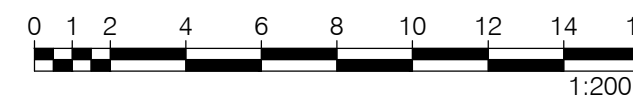
## Existing Plan

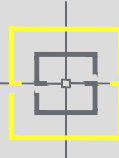
Scale 1-200



## Proposed Plan

Scale 1-200



Rev	Description	Date
 <b>Simon Spear</b> 2D & 3D CAD services M: 07496 878 163 E: simonspearcad@gmail.com		
SITE Carwinion Playing Field Carwinion Road, Mawnan Smith, Falmouth, TR11 5JD		
CLIENT Mawnan Parish Council		
PROJECT Extension of Car Park		
DRAWING Existing and Proposed Plans		
JOB NO.	22022	SCALES ( @A3) 1:200
DWG NO.	01	DATE May 2022
REV	*	DRAWN BY Simon Spear

# GREEN SPACES FOR GOOD



## Non-charitable Deed of Dedication

Mawnan Recreation Ground, Charitable  
Incorporated Organisation(1)

and

Fields in Trust (2)

[insert site name]

*Draft with annotations in red*

## BETWEEN

- (1) **MAWNAN RECREATION GROUND** (also known as Carwinion Playing Field Trust), Charitable Incorporated Organisation of The Parish Offices, c/o MS Electrical, The Square, Mawnan Smith, Cornwall (Registered Charity Number 1173925) and its successors in title (**the Landowner**); and
- (2) **FIELDS IN TRUST** of Unit 2D Woodstock Studios, 36 Woodstock Grove, London W12 8LE, a Royal Charter Organisation established for charitable purposes (registered charity number 306070) and its successors in title (**FIT**)

(The Landowner and FIT being together called the **Parties**)

## WHEREAS:

1. The property more particularly specified in the Schedule (the **Property**) forms part of the property of the Landowner.
2. The Parties hereby agree that the Property will be dedicated in perpetuity in the manner and for the purposes set out below (but without any intention to create any charitable trust), and in accordance with the mutual undertakings given by the Parties.

*Clause 2 establishes the contract.*

3. The Landowner gives the following undertakings:
  - 3.1 Not to use the Property or permit the Property to be used for any purpose other than as a public playing field, recreation ground, park, play space and open space;
  - 3.2 Not to grant, allow, suffer or permit the Property to be used for any purpose outside clause 3.1 including for any occasional or specific period of time without the consent of FIT save that temporary events shall not require consent with the exception of events and festivals which require closure of more than 25% of the Property for more than 21 consecutive days (including set-up and set down) per event;

*Clause 3.1 is the user clause and refers to the property being used as “a public playing field recreation ground, park, play space and open space”. Depending on the property’s current or future use, the user clause can be amended by mutual agreement. For example, it could also reference buildings or facilities if the use is ancillary to the outdoor space.*

- 3.3 Subject to clause 4 or clause 5, not (in so far as it has the power to do so) to dispose of the Property without the consent of FIT provided that granting a licence for any purpose within clause 3.1 shall not require consent;

*Clause 3.3 establishes additional protection through Fields in Trust by requiring Fields in Trust’s prior consent to any proposed disposal.*

- 3.4 Not to erect, allow, permit or suffer any buildings, structures or alterations on the Property, the use of which is outside the permitted uses as stated in Clause 3.1 without the consent of FIT provided that temporary structures for events shall not require consent;
- 3.5 Not to grant, allow, suffer or permit the erection of any buildings, structures or alterations on the Property that would result in the total structural and building footprint of such buildings or structures to exceed twenty per cent of the total square footage of the Property;

*Decisions relating to new buildings and structures, or alterations of the same, which fall within the agreed use stated in clause 3.1 are solely in the control of the landowner or its tenant(s).*

- 3.6 To inform FIT without delay of any proposals, intentions or decisions to grant, allow, suffer or permit:
  - 3.6.1 Disposals of the whole or part of the Property;
  - 3.6.2 The erection of any buildings, structures or alterations on the whole or part of the Property whether inside or outside the user clause at clause 3.1;
  - 3.6.3 The temporary closures or uses of the whole or part of the Property;
- 3.7 To provide FIT with information in response to any reasonable request by FIT relating to the use at clause 3.1.

*Clauses 3.6 and 3.7 support the objective of protecting the site's recreational use. Please refer to Fields in Trust's Field Change Request Guidance which is published on our website <http://www.fieldsintrust.org/field-change-request>*

- 3.8 To maintain the Property and so far as is consistent with its duties as a charity to have regard to any advice given from time to time by FIT on the management and running of the Property;

*This clause establishes an advisory role for Fields in Trust without interfering with the management rights and responsibilities of the landowner.*

- 3.9 To erect notices on the Property in the form of signage provided by FIT relating to the background of FIT and its protection of the property, giving recognition of financial support where required;
- 3.10 To apply within three months of the date of this Deed on form RX1 annexed hereto for the registration in the proprietorship register of the registered title of the Property at the Land Registry of a restriction to the following effect:

*Clause 3.10 is an essential part of the land registration and protection process.*

*Part of title*

“No disposition of part of the registered estate identified on the plan outlined in red but excluding the land and buildings tinted brown annexed to a Deed of Dedication dated \_\_\_\_\_ between Mawnan Recreation Ground (1) and Fields in Trust (2) by the proprietor of the registered estate is to be registered without a certificate signed by Fields in Trust of Unit 2D, Woodstock Studios, 36 Woodstock Grove, London, W12 8LE or by its conveyancer that the provisions of clause 4 of The Deed of Dedication dated \_\_\_\_\_ between Mawnan Recreation Ground (1) and Fields in Trust (2) have been complied with”

- 3.11 To apply within three months of the date of this Deed on form AN1 annexed hereto for the registration in the charges register of the registered title of the Property at the Land Registry of a notice to the following effect:

*Clause 3.11 is an essential part of the land registration and protection process.*

*Registered land*

“By a Deed of Dedication dated \_\_\_\_\_ between Mawnan Recreation Ground (1) and Fields in Trust (2) the part of the registered estate identified on the plan outlined in red but excluding the areas edged [ \_\_\_\_\_ ] annexed to a Deed of Dedication dated \_\_\_\_\_ was dedicated for use as a public playing field, recreation ground, park and open space.”

- 3.12 To apply within three months of the date of this Deed for first registration of the Property at the Land Registry.
- 3.13 To supply FIT with evidence that the registrations referred to in clauses 3.10 and 3.12 have been completed within a reasonable period of time after completion.
4. Pursuant to clause 3.3, FIT shall not unreasonably withhold consent to any disposal of the Property provided that the Landowner at the request of FIT:
- 4.1 Replaces or agrees to replace the Property with a piece of freehold land approved by FIT which is of equivalent or better quality than the Property, with equivalent or better facilities than the Property, of the same or greater dimensions than the Property, in the same catchment area as the Property, and as accessible to the public as the Property (the **Replacement Site**) and applies such of the proceeds of any sale of the Property as are necessary to do so; and
- 4.2 Enters into another deed of dedication on the same terms as this Deed in respect of the Replacement Site.

*Clauses 4.1 and 4.2 take account of potential future changes and guarantee flexibility in terms of specific location of a replacement site provided the specified criteria are met.*

5. FIT undertakes that it will not unreasonably withhold consent to any disposal of the Property at nil cost to any local authority or non-profit making organisation which will hold the Property and ensure that its use is compatible with clause 3.1, provided that the new landowner enters into another Deed of Dedication with FIT on the same terms as this Deed in respect of the Property.

*Clause 5 allows for asset transfer.*

6. FIT undertakes that it will:
  - 6.1 Not unreasonably withhold consent to disposal of the Property or the erection of any structures upon it, subject to its duty to perform its charitable objects and provided that the provisions of clause 4 or clause 5 of this Deed have been complied with;
  - 6.2 Not unreasonably withhold consent to any disposals or the erection of any buildings, structures or alterations on the Property where the primary purposes of those buildings and structures are to: (a) avoid, adapt or mitigate the actual or anticipated effects of climate change; and/or (b) reduce greenhouse gas emissions, including toward a target of “net zero”, in each case, provided that:
    - (i) the use of the Property for the purpose set out in clause 3.1 is not adversely affected; and
    - (ii) the structures or alterations would not result in a breach of clause 3.5; and
    - (iii) the Landowner at the request of FIT complies with the provisions of clauses 4.1 and 4.2.
  - 6.3 Respond without unreasonable delay to any notifications of intended disposal or erection of structures, or to any requests for advice; and
  - 6.4 Notify the Landowner without unreasonable delay of any concerns or matters of advice to which it requires the Landowner to have regard.
7. Any consent given by FIT under this Deed may be granted subject to conditions.
8. At the request of FIT the Landowner will pay or require their solicitor to give an undertaking to pay FIT for all costs fees charges disbursements and expenses properly and reasonably incurred by FIT in relation to every application made by the Landowner for consent required by the provisions of this Deed whether such consent is granted or refused or offered subject to any reasonable qualifications or conditions or whether the application is withdrawn.

*When dealing with requests for changes to protected sites, Fields in Trust incurs costs both financially and in terms of resource. As a charity, Fields in Trust relies on donations to carry out its objects of protecting green spaces which makes it reasonable to seek cost reimbursement.*

9. The Landowner DEDICATES the Property as a public playing field, recreation ground, park, play space and open space for the benefit of the inhabitants of Mawnan Smith and thereabouts and the site will be titled Green Space for Good, Carwinion Playing Field.

*Clause 9 is the essential clause referring to the dedication of the site. The defined use is taken from clause 3.1 (the example given here is ‘a public playing field, recreation ground, park, play space and open space’).*

**IN WITNESS** whereof this Deed of Dedication is executed the day and year first before written.

**SCHEDULE**

All that freehold property known as Carwinion Playing Field, Carwinion Road, Mawnan Smith, Cornwell described in the Conveyance dated 12 July 1939 and made between Hugh Hext Rogers and Agnes Helena Rogers of the one part and the Parish Council of Mawnan of the other part which is identified on the plan outlined in red but excluding the areas edged [ ] and annexed to this Deed.

**EXECUTED** as a **DEED** by

**MAWNAN RECREATION GROUND**, Charitable Incorporated Organisation

acting by its sole trustee Mawnan Parish Council:

**COUNCILLOR**

**Name:** \_\_\_\_\_  
\_\_\_\_\_

**Signature:**

**COUNCILLOR**

**Name:** \_\_\_\_\_  
\_\_\_\_\_

**Signature:**

In the presence of

Witness Name: \_\_\_\_\_  
\_\_\_\_\_

**Signature:**

Witness \_\_\_\_\_  
\_\_\_\_\_ **Address:**

**EXECUTED** as a **DEED** by affixing

the **COMMON SEAL** of **FIELDS IN TRUST**

under an authority conferred by s.260(2) Charities Act 2011

in the presence of:

Trustee:

Trustee:



**Junior Playing Field Trust (Reg Charity 1173926)**  
**Annual Accounts for the Year 1<sup>st</sup> April 2022 to 31st March 2023**

The Junior Trust has no restricted funds

	2021-22	2022-23
<b>INCOME</b>		
<b>Regular activity</b>		
Parish Council Grants (Section 19)	£ 2,045.00	£ 1,527.00
other income	£ -	£ -
<b>Total Income</b>	<b>£ 2,045.00</b>	<b>£ 1,527.00</b>
<b>EXPENDITURE</b>		
<b>Administration</b>		
Insurances	£ 1,560.70	£ -
Equipment inspections	£ 150.00	£ -
Wages (subcontracted administrator)	£ -	£ -
<b>Maintenance</b>		
Tree works	£ -	£ -
New equipment	£ -	£ -
H&S	£ -	£ -
General maintenance	£ 1,895.00	£ -
<b>Total Expenditure</b>	<b>£ 3,605.70</b>	<b>£ -</b>
CFW Balance at 1st April	£ 4,171.06	£ 2,610.36
PLUS Excess of Income over Expenditure	-£ 1,560.70	£ 1,527.00
unreconciled items		
Total Current assets	<b>£ 2,610.36</b>	<b>£ 4,137.36</b>

## parish clerk

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**From:** Jackie Whibley <jawhibley1@gmail.com>  
**Sent:** 25 July 2022 11:36  
**To:** Lisa Clements  
**Subject:** Fwd: Feedback on Junior Playing Field re. Sensory Garden etc

Hi Lisa,  
This is where we got to with the JPF.  
Kind regards,  
Jackie

----- Forwarded message -----

**From:** Rex Sadler <[rexsadler745@gmail.com](mailto:rexsadler745@gmail.com)>  
**Date:** Fri, May 13, 2022 at 8:23 AM  
**Subject:** Re: Feedback on Junior Playing Field re. Sensory Garden etc  
**To:** Jackie Whibley <[jawhibley1@gmail.com](mailto:jawhibley1@gmail.com)>

Great bit of work Jackie. I am out of action for quite a time yet, my advice would be to get Tim and Philip up there and go through your points with other Trustees if interested. Philip would be good to give advice on the sensory garden, it really does need a good clear out. Maybe the contractor who is going to cut the boundary hedges could give us a price while he is there. We also need to go through the safety report on the JPF that we had some months ago to make sure it is all covered.

Keep up the good work.

Rex.

On 11/05/2022 18:19, Jackie Whibley wrote:

Dear fellow Trustees,  
I visited the Junior Playing Field a couple of times recently to follow through on an agreed reccie of the Sensory Garden and other observations.  
I was joined there by Mrs Janet Smith for Mawnan Garden Club and by Mrs Caroline Toland for Mawnan Allotment Association, to make an initial assessment of the viability of a community volunteering opportunity to tidy and restore the sensory garden there.

It was immediately clear to the three of us that the work that needs doing is beyond what could likely be achieved or maintained thereafter by a voluntary community group.

Our findings on Tuesday 26th April 2022 were as follows:

1. One of the two picnic benches is missing at least one seat slat, is wonky at a light touch, has nails sticking out and needs to be removed (or made good) as soon as possible.
2. The rocker spring which was to be removed had not yet been made safe or removed.
3. There is wood rotting around the margins of some of the old black rubbery floor substrate areas, and in some cases nails are protruding. Perhaps all that material could be removed.
4. The waste bins were overflowing on both occasions I visited. They need to be emptied more regularly and in time for waste collection day.
5. One of the waste bins is still sited near the sensory garden where there used to be a fence. It would be better re-sited near the other gate. The old gate posts where that bin is currently sited need removing.

6. No work had yet been done to bring down two heavily ivy clad trees/ boughs we have discussed before: one over the top gate leading to Shute Hill. The other at the margin of the footpath to there from Grove Hill.

7. A wander through the sensory garden area and around the margins of the field confirmed so many dead shrubs, tree stumps without purpose, low hanging boughs and twigs/ branches capable of causing injury at eye level for the uncautious. The canopy heights in general need raising.

8. Existing shrubs in the sensory garden are untamed, no longer sensory (indeed spikey and unscented) and are overrun with brambles. It seemed to us there was little point in trying to recreate this garden, but rather to just get it sorted out, reshape the worthwhile shrubs e.g. Bay tree, strim and then relay with wood chip or grass the area, and perhaps include a willow wigwam in there for children to play in, and maybe a little bench seat in there.

9. The signs on both entrances to the footpath are dated and in my opinion need replacing. Interesting to see that despite them dog poo bags are piled on top of the bins.

I think you get my gist.

We felt the range and nature of the work required points perhaps to the raising of a brief for a contractor. And a maintenance contract thereafter.

We might wish to consider formalising frequent routine site checks in the JPF.

I would be more than happy to meet fellow trustees there to show and tell.

Kind regards,

Jackie Whibley

--

Thanks for your email. I will respond as soon as I can.



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