Sarah Sharpe
Parish Clerk

Shillingford St George Parish Council

Lower Horrels

Idestone

Longdown

Exeter

EX6 7BL

E: shillingfordpc@gmail.com

T: 01392 811614

Date: 14 February 2018

\*\* Without Prejudice\*\*

Dear Mrs Peake,

Shillingford St George Parish Council and Village Hall Committee are writing to you in your capacity as a Trustee of the Shillingford St George Village Green. The Parish Council wrote to you on 12 November 2017 when we stated that*: When you agreed to become a Trustee, you took on certain legal and ethical obligations including acting in unison and in the primary interests of the beneficiaries of the Trust, i.e. the parishioners of the parish. You took on a personal obligation as well as a joint one to act honestly and in good faith. Your personal liability is both a legal and an ethical one*.

* On 7 November 2017, you as Trustees erected a fence across the Village Hall carpark
* On 11 January 2018 you as Trustees emptied the shed on the Village Green and deposited the contents into the carpark. These contents comprised the Parish Council lawn mower purchased solely to maintain the Village Green on your behalf and the marquee and other equipment for community events.
* On 16 January 2018 you as Trustees locked and chained both gates denying all access to the Village Green

We can only conclude that these actions were prompted by some individual trustees who - whilst carrying their own personal feelings of being aggrieved -are causing unnecessary distress and inconvenience to a great many innocent people living in the village and beyond. You as Trustees each signed a legal document and each should have knowledge of the terms of that document. The acts and omissions therefore are either deliberate or you turned a willful blind eye and failed to act as was your duty. You are each responsible for these actions and despite repeated appeals to you by the Parish Council, the Village Hall Committee, a 185 signature Villagers petition and individual requests, you have failed to take action to run the Trust appropriately or to return free access to the people of the Parish.

Although the Trustees cite the reason for the fence is to prevent vehicles being taken on to the Village Green, there is nothing in the Trust document to this effect. It seems inconceivable that Trustees would prevent a vehicle being taken onto the grass if it were beneficial to the villagers for this to occur. Signs specifically made and erected by the Village Hall Committee to deter parking on the grass were taken by two of the Trustees by their own admission.

In a joint letter from the Parish Council and the Village Hall Committee dated 5 January 2018, we called for the resignation of named Trustees by 31 January 2018. To our knowledge no Trustees have submitted their resignation.

The fence is not only in breach of planning permission and could be subject to enforcement action, it is also in breach of your own Trust document. Should enforcement action be taken the cost will be invoiced to the Trustees. Enclosed is a document that reviews the Trust document clause by clause, identifies compliance issues and remedial action that should be taken. In order to demonstrate yourselves worthy to continue as Trustees, the Parish Council and Village Hall Committee ask that you take FULL remedial action in line with the document by 31 March 2018.

If no remedial action is taken by 31 March 2018, the Parish Council and Village Hall Committee will consider further action without reference back to the Trustees.

We look forward to your early response.

Your sincerely

Chris Carr (Chairman of Parish Council) Sally Lebatteux (Chairman of the Village Hall Committee)