



FRIENDS OF GRAPPENHALL HEYS WALLED GARDEN

C/o 16 Farnham Close

Appleton

Warrington

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Registered Charity No. 1141915

FRIENDS OF THE GRAPPENHALL HEYS WALLED GARDEN SPECIAL GENERAL MEETING 2019

Following on from the Extraordinary General Meeting of the Friends of the Garden in September, the new Committee was beginning to make progress with developing a better relationship with the Parish Council. Sadly, an incident in late October has led the Committee to decide that they can no longer work with the PC and Apé Bars (see my more detailed note below). The Committee intends to resign, which means that either a new committee needs to be selected, or the Friends charity needs to be wound up.

To progress this, a Special General Meeting of the Friends of Grappenhall Heys Walled Garden will be held on **Wednesday 30 January 2019 at 7pm at the Independent Methodist Church, Knutsford Road, Grappenhall**. We hope that you will be able to attend. We will be serving hot drinks and biscuits after the meeting.

We look forward to seeing you on 30 January. If you attend the meeting, please park considerately; however, please do not park on the side street to the left of the church – Barton Avenue.

Yours sincerely

Geoff Weston

Chairman

Friends of Grappenhall Heys Walled Garden

Note from the Chairman:

On Sunday 28 October 2018, there was an incident in which a visitor to the garden, who also happens to be a member of FoGHWG, noticed that the doors at each end of the Fountain Room, both of which carry fire exit signs, were locked. He brought this to the attention of the Apé Bars management, the garden warden and, subsequently, myself.

I informed the Clerk to the Parish Council as I felt it important that they were aware. In the event of a fire, the potential consequences for the council could have been serious.

There have been a number of communications about the issue, including a letter from the Chair of the Council, dated 13 November 2018, which states that the working relationship between the Friends, the Parish Council and Apé Bars has been damaged by the way in which the matter of the locked fire doors was allegedly raised and handled by the visitor to the garden, who acted in what he believed to be the public interest (and the Parish Council's). The letter further states that the visitor's behaviour was challenging, confrontational and unacceptable, and that if our co-operative arrangement is to go forward, the Friends must take responsibility for the actions of its members.

As an Executive Committee, we would hope that all visitors to the garden, not just members of the Friends, would be respectful of the garden staff, grounds, buildings and history. However, we do not believe that it falls within the remit of the Charity to 'police' the behaviour of Friends members while they are attending the garden as private individuals.

At the second liaison meeting of the Parish Council and the Friends Executive Committee on 19 November 2018, the incident was raised. The Council claimed to have five statements that contradicted the visitor's account, which was dismissed out of hand. Three of the statements appear to have been submitted at least two weeks after the event. None of the five statements were available for perusal at the meeting. The Chair of the Council also refused to give a hearing to the individual concerned. Some of the Friends Executive Committee members have known the individual for many years, and choose to believe his account of what took place.

The Friends Executive Committee met on 2nd December, and all those present unanimously concluded that it was no longer possible to work with the Parish Council or Apé Bars under the terms laid down by the Parish Council. We are not prepared to risk accusations of being "challenging and confrontational" or of having our behaviour being found unacceptable to the Parish Council without a hearing. We are unable and unwilling to monitor the conduct of our members attending the garden as private individuals.

The Friends Executive Committee met again on Wednesday 2 January 2019. At the meeting, it was confirmed that, under Charity Commission rules, we must hold a special general meeting in order to vote on the future of FoGHWG. A provisional date was set for Wednesday 30 January 2019.

Now that the Parish Council employs a self-financing outreach officer and a garden warden, and as we are advised that the garden's finances are sound, the reasons why the FoGHWG charity was formed no longer apply. Therefore the Executive Committee recommends that the members vote to wind up FoGHWG.

If members wish the Friends charity to carry on, this is only feasible if there are volunteers to serve as chair, secretary and treasurer. This is the minimum number of trustees required under Charity Commission rules; for good governance, additional trustees need to be appointed. In the event that there are volunteers for these three key roles, there is a proposal from the Parish Council that, in the opinion of the existing Executive Committee, is a sound basis for moving forward, provided the Parish Council accept that we are not able or willing to police our members. If any member wishes to put themselves forward for one of these roles, please email the secretary by no later than Wednesday 23 January 2019.

If, on the other hand, the members vote to wind up the charity, it is necessary to decide how the trustees will dispose of its assets.

Under Charity Commission rules, any monies may be donated directly for the delivery of the objects of the charity, (i.e. to the walled garden to be used for the purposes set out in our constitution) or to one or more other charities for purposes the same as, or similar to, the Friends charity.

The Executive Committee believes that a local charity (e.g. within Cheshire) would be preferable.

At the meeting, the Executive Committee proposes to have a ballot on which of the following organisations becomes the beneficiary:

- Grappenhall Heys Walled Garden (on condition that all of the money is spent on the garden or external structures. e.g. re-painting of glasshouse timber, or to support the work of the outreach officer)
- Cheshire Gardens Trust
- Walton Lea Partnership

If any member wishes to nominate another similar organisation, which must be a registered charity, please email the secretary with the name of the organisation, its contact details and charity number, no later than Wednesday 23 January 2019.

We also have physical assets, which include folding shelters, folding gazebos, folding tables, hand trolleys, an apple press, sundry fun-day activity equipment and sundry Christmas lights and decorations.

The options for disposal of these assets are:

- Donate them to Grappenhall Heys Walled Garden.
- Donate them to local organisations such as schools, scout groups, etc., at the discretion of the trustees.

If any member wishes to nominate a particular organisation to receive some or all of the physical assets, please email the secretary with the name of the organisation and its contact details no later than Wednesday 23 January 2019.

Geoff Weston
Chair
FoGHWG

Special General Meeting
Wednesday 30 January 2019
A G E N D A

1. **Welcome**
2. **Apologies for Absence**
3. **Discussion on the note from the Chairman**
4. **Election of new Committee**
5. **If item 4 fails: Winding up the charity and distribution of assets and funds**
6. **Any Other Business**
7. **Close of Meeting**