BOROUGH GREEN TOWN COUNCIL

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DRAFT The Published Emergency Borough Green Town Council Meeting took place at 1930 at Potters Mede on 3rd August 2026. Members are reminded of the importance of Section 10 of Standing Orders regarding confidentiality of Part 2 discussions and documents. Please refer to our Data Privacy, Use and Retention Policy, which is published on our website. The meeting was recorded.

Yours faithfully

Chairman, BGTC

Present - Cllrs Taylor, Ramsden, Heselden, Thrush, Shaw, Reid, Millener, Reading, Proto, the Clerk and three members of the public

E001. Apologies for Absence Cllr Butterfill

E002. Declarations of Interest - none

E003 Isles Quarry Bike Trails

a - Confirmation of meeting rules. Chair warned that the meeting would comply with Rules of Debate
b - Time line. Chair recalled the original plan last year that the Bike Club would sign a licence agreement for use of the land and put Public Liability in place. Chair apologised that he had taken his eye off the ball and had not pursued that. But he noted that no one had raised the issue although IQ Bikes were on the agenda each month, nor did anyone raise it when further works were proposed and agreed at the August meeting. However, recriminations would not resolve the problem - we need to get the Licence and PL Insurance in place as soon as possible.

1. Demand for construction to cease - text, email and immediate visit - work was stopped, but that led to some unfinished items as raised by Cllr Millener. Chair suggested he and Cllr Millener visit Mr Byrne on site and review. Concern was raised about barbed wire which was removed - picture tabled. Councillors were not kept informed that the scope of works went far beyond the installation of a child friendly easy jump area and simple path clearing.

Chairman moved to Part 2, and the public went outside

Cllr Ramsden moved that we discussed the Clerk's resignation which had been received and accepted by email on 12 August. Clerk spoke about his regret but felt his position had become untenable. He thanked members for their support, and would hand over the Clerk's duties to the Chair at 9am on Monday 24th August, and will take leave starting 5pm 21 August until 11 September 2026, and hand over the accounts to the interim RFO Mrs Lesley Cox as quickly and smoothly as possible. Chair thanked the Clerk for his past exemplary work and the proposed smooth handover.
Chair moved back to open session and the public returned

It was proposed by the Chair, Seconded Cllr Shaw:
1. Chair would takeover as interim Clerk on 24th August - AGREED
2. Mrs Lesley Cox is appointed temporary RFO and would liaise with the Clerk to effect this - AGREED
3.An immediate process would start to recruit a new Clerk and RFO. - AGREED
4. Clerk would be paid normal salary until 11th September, and would receive a lump sum severance payment equivalent to three months salary as our grateful thanks for his hard work in regularising the accounts after the last Clerk's sudden departure, the digitising of the accounts and payroll, the management processes he had put in place, and our regular Green AGAR reports.
5. The Council agreed the Clerk could release the severance payment at the earliest opportunity.
All the above were AGREED unanimously by show of hands.

Chair noted that an anonymous Complaint had been lodged with TMBC triggering an Enforcement visit by Jody Solomon and Richard Edmonds TMBC Enforcement Officers. Mr Solomon suggested planning application should be lodged in case permission might be required
Chair reported Planning application lodged on the Planning Portal ref PP15161571v1 Isles Quarry cost £1429, personal cheque sent. James Bailey TMBC to advise when application arrives for validation

2. Licence agreement - has been previously approved and signed by the Bike Club - needs to be altered to the new Community Interest Company managing the facility.

Public Liability Insurance. There is a requirement is to "notify insurance company immediately of any change of circumstance", which we have. There may be an increased premium agreed, and we are in discussion with Zurich and are awaiting their response. Zurich verbally confirmed to Bernie Galopin and Cllr Proto that the current PL policy does not cover bike trails and that more information was needed to assess whether cover can be provided.
A recognised body such as a Qualified Site Safety Inspector recommended by TMBC Recreation Dept shall sign off the Finished Construction Site to eventually enable the removal of current 'under Construction' Status"
A future TMBC Planning Application Approval should support the current TMBC 'No Enforcement Notice Issued' status following Site Visit by TMBC Enforcement Officers Jody Solomon and Richard Edmonds on Friday 14 August 2026'

3. There had been runours circulating about Personal Liability on Councillors. Chairman has contacted KALC for their advice. They have advised that *Section 39 1976 Local Government (Misc Provisions) Act* is quite clear that there is "a solid defence and states that you have no personal (financial) liability if you have acted in *good faith".* It is quite clear from the processes noted here that the Members of the Council have acted in good faith and are therefore not at risk. There is however still a risk to the Council as a body if there was an accident, but the decisions below should mitigate that risk.

There followed considerable discussion about the issues and how we had arrived at this point.
During the discussion Cllrs Proto, Reading and Ramsden resigned, and emailed later that was with immediate effect, and the Chairman accepted on behalf of the Council.

Cllrs Thrush, Reid, and Millener also resigned, but Chair said as this was because of their concerns about Personal Liability he would hold those resignations in abeyance until 7th September meeting to allow the opportunity to review their position in the light of the below resolution being achieved.

Cllr Ramsden reported he had been asked to table a vote of No Confidence in the Chairman, which he did. There was no second and the Motion failed.

Chairman allowed the Members of the public to speak, and both said we should be exploring ways to make the area safe and not demolishing a much used facility. One noted that to safety fence the entire area would be about £250k and would not necessarily work. The other had drafted a suggested sign which the Council will be using.

Chairman summed up the matter. We could either send in a bulldozer and flatten the lot which would immediately resolve the liability issues, but that would be a huge waste of an excellent facility.

Chairman proposed:
1. Immediate closure of the bike trail area using approved signage and tape.
2. Assessment and resolution of the immediate hazards such as tree stumps and holes
3. Ongoing dialogue with both Zurich to extend the Council's PL insurance to cover the bike trails and the registered company set up by the Bike Club to obtain its own PL insurance for the Bike Trails, funded by a PC grant.
Prop Chair, Seconded Cllr Shaw - Agreed Cllrs Taylor, Heselden, Thrush, Shaw, Reid, Millener, Reading. Abstained Cllr Ramsden.

There being no further business and no matters for Part 2 Chair closed the meeting at 2100hrs