

**NOTICE OF QUESTIONS BY COUNCILLOR MANDA RIGBY**  
**BATH RECREATION GROUND TRUST BOARD**  
**THURSDAY 14<sup>TH</sup> MARCH 2013**

**Question 1**

I understand that a letter is being circulated asking residents in the vicinity of the Rec to inform them if they believe that they have an enforceable covenant on the Rec. If I accept that it is a good thing to be clear about the enforceability of covenants, why is this being done by a leaseholder on a part of the Rec and not the freeholder of the entire Rec as it impacts the whole area and at a freeholder level?

**Suggested Response**

It is open to Bath Rugby to undertake the investigations that they are proposing. The Trust has no objections to a process designed to provide clarity.

**Question 2**

Why is it proposed that Bath Rugby then take this issue to the High Court rather than the far less costly and, to my mind, more appropriate Upper Land Tribunal for determination? Has this been approved by the Rec Trustees and, as per Question 1, why is it a partial leaseholder doing this?

**Suggested Response**

The Trust is not able to speak on behalf of Bath Rugby about their proposed course of action. The Trust will welcome progress being made on this issue by Bath Rugby, it being a matter of direct relevance to themselves and their activity on site.