

STATEMENT BY MR M J W GILSON as CHAIRMAN of THE FRIENDS OF BATH RESIDENTS' RECREATION GROUND to THREE COUNCILLORS representing B&NES COUNCIL as CORPORATE TRUSTEES OF CHARITY No. 1094519 at THE BATH GUILDHALL on THURSDAY, 16<sup>th</sup> DECEMBER 2010 at 5 p.m.

It is totally unacceptable that after years of refusing to answer beneficiaries' highly important questions over the Council's defiant and prolonged breaches of trust in contempt of the law, violation of the Charity's constitution and Trustees' legal obligations set in stone in 1956 and subsequently re-affirmed by the high Court in 2002, that you now have the audacity to be contemplating yet further delays in remedying your conduct by engaging in yet more dubiously unnecessary and expensive 'Consultation and propaganda charades' whilst paying no regard to your blatantly obvious statutory obligations incumbent upon all Trustees in situations of this kind.

The irresponsible and devious conversion of intended public benefit to favoured private gain through breach of trust in contempt of the High Court can never be made legal. Your deplorable conduct and that of the Charity Commission will remain open to investigation and challenge as Mr Justice Hart made perfectly clear over eight years ago.

You do not need and should not waste yet more money to indulge favoured commercial interests in the potentially fraudulent mis-use of our Charity's assets for private business gain any further – you simply need to respect the law, honour your legal obligations and return the Rec to the clean, safe and un-dominated public Open Space as Bath's de-facto Village Green it is intended to be.

As a number of beneficiaries have pointed out, and as legal precedent makes clear, any abuses of power and breaches of trust in dereliction of duty and facilitating mal-administration or fraudulent mis-use of charitable assets for Trustee favoured private gain will always remain subject to scrutiny and open to prosecution of all parties involved. Commercial sensitivity or exemption from publication is no defence against criminal conduct or collusion to defraud and is best avoided.

This is even more important at a time when your refusal to answer serious questions and your unacceptable conduct has already placed beneficiaries on the cusp of having to seek the help of the Serious Fraud Office, Customs and Revenue and others to provide enforcement of more lawful conduct at even greater public expense through the CPS to have these issues prosecuted and resolved in the wider public interest and for the protection and probity of Charities everywhere.

In the circumstances it is impossible to have trust or confidence in you, and the vast majority of beneficiaries believe that rather than wasting further resources on biased and unnecessary consultation exercises designed to promote the continuance of the mis-use and abuse of the Charity's assets, the more honourable course of action is for you to resign and let others undo what you have so defiantly and wantonly inflicted upon our City and its inhabitants without further delay or waste of money at a time when front line services have greater need of the money you are contemplating squandering to achieve what are widely seen as anti-Charity and anti-social ends for the benefit of Council and Charity Commission favoured millionaires for which future generations will condemn you as much as you are widely condemned in the press and elsewhere today.

What you are deviously facilitating is not the proper purpose of the Charity or what the law requires and this must be remedied without the unnecessary waste of any further biased consultation charades to indulge the Council's very serious conflicts of interest and commercial favouritism for private anti-Charity gain.

A handwritten signature in cursive script, appearing to read 'M J W Gilson', written in black ink.

M J W GILSON

15.12.10