

**From:** Nottingham Squash Rackets Club <[noreply@planit-bookit.com](mailto:noreply@planit-bookit.com)>

**Sent:** 12 December 2022 14:08

**To:** All NSRC members

**Subject:** REPLY TO SHAUN WALSH RESPONSE OF 11TH DECEMBER 2022 TO NSRC COMMITTEE RESIGNATION ON 9TH DECEMBER 2022

Dear Members,

In order to reply to the response from Messrs. Walsh, Garratt and Dand ("the group"), dated 11th December 2022, we have sought and been granted permission to write to the membership direct.

We are surprised and disappointed to read the group's response.

We reject their continued, erroneous interpretation of the resolutions they tabled for the AGM, but which have now been passed by the membership.

We are puzzled why, when our position was stated well in advance of the AGM, the group did not present to the members, prior to the AGM, independent legal advice on the potential constitutional impact of their proposed resolutions because none of the group, to our knowledge, has any legal qualification to support their assertions.

Shaun Walsh and Tim Garratt made a qualified offer to Gawain Briars and Kevin Gibbin, immediately after the AGM, to withdraw resolution D (but only, they said, following later talks about the offer which they were not at that moment willing or able to divulge further); and they would not, after being asked more than once, withdraw resolution C.

It was made clear to the pair that time was of the essence and, when asked again if the above was their final position, they affirmed that to be the case. They were further reminded that the resolutions would place the committee in breach of our fiduciary responsibilities; disappointingly, the response to that was "You know what to do then!".

The committee then convened immediately after that and discussed its options. A unanimous agreement was reached that, for the reasons provided in our resignation statement, we would not be continuing forward as representatives of the club.

For the group, who have reminded us on more than one occasion about their collective, professional expertise and experience, not to have factored in the probability of the committee's resignation in the event of the three resolutions being carried, is very surprising.

To be clear, it is as a result of the group's actions that the club now finds itself without a committee or directors, and any attempt by them to portray us as somehow being at fault is disingenuous and misleading.

If the group seek to direct blame for the club's alleged "rudderless" position, then they should look to themselves.

In addition, in light of the Volunteers' continued and increasing activity in keeping the club alive and well we view the group's use of the adjective "rudderless" to be patronising if not insulting.

We repeatedly made it clear to the group, and the membership, that we were not individually or collectively prepared to carry fiduciary, or any, liability as directors when the group's resolutions undermine the committees' directorship function to the point where it is untenable.

Any consequences that may or may not have flowed from our resignations, again, stem from the intolerable position we were placed in following the AGM vote and to which we took immediate, and perfectly understandable, action with our resignations.

We have been reasonable and consistent, throughout, in our approach to this issue

We do not recognise the group as holding any official authority, and they have no representative status or standing bestowed on them by the membership.

Further, the language they deploy when proposing to contact the Company Secretary appears threatening and will not be tolerated.

The questions they ask in their item 7., again, should have been anticipated before they decided to table their resolutions, the consequences of which have now led the club to its current position. Again, contrary to their advertised levels of qualification and experience, they appear to have lacked the foresight to understand where their actions might lead the Club.

But, to conclude, if an independent individual or small number of members can come forward together then we would be happy to meet and communicate with them, if they so wish, to assist in finding the best way forward for the Club.

In the meantime, we have no intention of corresponding with the group who, despite their repeated assurances at the AGM that they had no time or intention towards holding committee places, appear on the face of it to be embarking on an attempted take-over of the Club.

Kind regards,

Gawain Briars, Richard O'Connor, Sue Pynegar, George Thunecke, John Limb, Alan Turner, Kevin Gibbin

12th December 2022