



GOOD EASTER PARISH COUNCIL

MINUTES OF THE MEETING OF THE PARISH COUNCIL HELD ON:

Thursday 24th September 2020

Held via Zoom

In attendance:

Cllr G Seeley (Chairman) Cllr C Wood
Cllr G Pitt (Vice Chairman) Cllr P West Cllr I Watkins
Cllr L Bailin Cllr J Aldridge (ECC) Left after agenda item four
Miss L White (Clerk to the Council)

Apologies:

Cllr M Stephenson Cllr N Chambers (CCC)

1. **Declaration of Interests/Recording of Meetings**

Members were reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and were advised they may also disclose the interest at any point during the meeting.

They were also advised they are obliged to notify the Monitoring Officer of the interest within 28 days of the meeting, if they have not previously notified him / her about it.

Cllrs West declared an interest in the Village Hall
Cllrs Watkins declared an interest in the Sportsfield

2. **Apologies**

Cllr N Chambers (CCC) – family matters Cllr M Stephenson – family matters
A vote was not taken, but apologies noted.

3. **Minutes/Public Forum**

The Minutes of the Parish Council Meeting of 5th August 2020 were approved.

On the motion of the Chairman the meeting was adjourned for members of the public/press to address the Council.

No members of the public were present.

4. **Report from ECC**

Cllr Aldridge gave a report on the following topics:

- a. Community Governance Review.
- b. The 'Planning for the Future' Consultation.
- c. The NHS Covid Track and Trace App – recommended it be downloaded by all.

- d. Planning application ESS/77/20/CHL - Land south of A1060 (Salt's Green), Chalk End, Roxwell, advising it has been put on hold with a number of issues being reconsidered.
- e. The use and regulations being considered regarding e-scooters.
- f. The Sportsfield CIF application which he has supported.
- g. Cllr West thanked Cllr Aldridge for his work regarding the current pothole initiative and noted some works had commenced.
- h. Cllr West raised the matter of the Army & Navy flyover with Cllr Aldridge advising that various options are under debate.

5. Report from CCC

Cllr Chambers not present.

6. Policies

- a. Complaints Policy – approved
- b. Disciplinary & Grievance Procedure - approved.

7. To Approve Revised Standing Orders

Approved.

8. Finance

Action - Clerk

Council noted some cheque numbers and amounts had been reported incorrectly at the meeting of the 23rd July 2020.

Correct cheque numbers, payees & amounts of previously approved payments are as follows:

100936	EALC	Subscription	£115.93
100937	Eon	Sportsfield Electricity	£26.54
100938	Zurich Municipal Insurance	Insurance	£952.18
100939	Mrs LJ Green	Clerk's Salary	£280.93
100940	Eon	Sportsfield Electricity	£51.83
100941	Caroline Carroll	Locum Clerk's Salary	£223.02
100942	JCM Services	Grass Cutting	£715.80
100943	Caroline Carroll	Locum Clerk's Salary	£192.05

The following payments were approved:

100944	JCM Services	Grass Cutting	£715.80
100945	Ian Brown	Locum Rfo salary	£226.15
100946	EALC	Training	£48.00
100947	DH Computing	Laptop Repairs	£180.00
100948	Cancelled		
100949	Amanda Whatson	Internal Audit	£130.00
100950	Eon	Sportsfield Electricity	£84.35
100951	Miss L White	Clerk's Salary, mileage & allowance.	£419.96

Cllrs voted approving changing from Barclays Bank to Unity Trust Bank

Cllrs voted agreeing a spend of up to £100.00 to purchase a battery for the laptop and back up drive.

The budget was reviewed and agreed. The clerk reported that the precept will need to be agreed at the next meeting. In this regard, a draft will be distributed prior to the meeting.

Other topics were discussed pertaining to 10 Green Parishes, web-hosting & cllr specific email addresses.

9. **Planning** **Action - Clerk**
20/01339/FUL
Address: Homelands, Bedfords Farm Road, Good Easter Chelmsford
Description of works: Two storey side extension. Single storey front and rear extensions.
Supported
- 20/01383/FUL
Address: 14 Souther Cross Road, Good Easter, Chelmsford, Essex CM1 4RX
Description of Works: Part two storey and part single storey rear extension with roof window.
Single story front porch extension.
Supported
- 18/00001/MAS
Land North Of Warren House, Roxwell Road, Writtle, Chelmsford Essex
Strategic Growth Site 2 - West Chelmsford
Cllr West advised that comments had been submitted by the former clerk although the application was still active.
- Cllrs noted the following decisions:
- | | | |
|--------------|-----------------|------------------------|
| 20/01065/FUL | 9 Souther Cross | Application Withdrawn. |
| 20/00192/LBC | Timothy Cottage | Application Permitted. |
10. **Stop Stansted Expansion** **Action -Clerk**
Cllrs discussed making a donatiation and confirmed that grant policy would be sent.
- The clerk advised she will send a copy of the Grant Policy and application form to the PCC should they wish to apply for a grant.
11. **Village Hall / Sportsfield** **Action – Cllr Wood**
Cllr West circulated a detailed report as attached and in general, cllrs supported option three. Cllr West advised he may have a further meeting with RCCE.
Cllr West advised he may have a meeting with the Sportsfield Association regading a potential amalgamation of the Sportsfield Association and the Village Hall.
Cllr Wood advised he will seek further quotations iro the asbestos survey as the previous company appointed to carry out the survey had withdrawn.
12. **Community Governance Review** **Action - Clerk**
Cllrs agreed responses for submission.
13. **Horse Pond** **Action – Any available Cllrs**
Cllr Balin reported that Essex Wildlife Trust had inspected the pond and advised that it was in good health. Cllr Balin also reported that some minor treeworks needed attending to. Cllrs agreed this work could be carried out by themselves.
14. **Councillors Invited to Share Any Other Relevant Business** **Action - Clerk**
With regard to Remembrance Sunday, Cllrs agreed a spend of up to £100.00 for the purchase of a wreath.
15. **Antisocial Behaviour**
Having regard to the confidential nature of the business transacted, the Full Council meeting

closed to the Press and Public pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960.

Matters pertaining to antisocial behaviour were discussed. No action required.

Meeting closed: 9.12pm

Date of next meeting: Thursday 26th November 2020 at 7.30pm

Clerk to the Council:
Miss L White
Coronation Cottage, The Street, Woodham Ferrers, Chelmsford CM3 8RQ
07703 170512

Good Easter Parish Council

Governance of Good Easter Village Hall

Discussion paper for Parish Council Meeting on Thursday 24th September 2020

There are 10,000 village halls in England and just over 75% of those are registered charities, (*source ACRE*). It was the Recreational Charities Act 1958, which gave charitable status to village halls. How the village hall charity operates is set out in its governing document, (this being any document which sets out the charities purposes and usually how it is to be administered).

The majority of the remaining halls are owned by local authorities including Parish Councils, although some are owned by the church (eg Great Canfield) or other groups such as the WI (eg High Roding).

Note that Good Easter Village Hall is not registered as a charity and there is no guidance in the original indenture (1920) other than a requirement that the village hall land should be used in accordance with the Recreation Grounds Act 1859. It is unknown whether there is any record in the historic Parish Council minutes or Village Hall committee minutes which sets out how it was intended to govern the village hall.

The current Village Hall Committee (VHC) has managed the village hall for the last 12 years as a volunteer group, improving its external and internal appearance and maintaining it in good order for a significant number of local groups and social functions. The VHC has been independent of the Parish Council, however it has been required to give a report at Parish Council meetings and has produced annual accounts and presented them to the Parish Council for information.

The VHC derives its income from hiring the hall to local groups, its use as a polling station, the occasional private donation and fund-raising events.

The current Committee has undertaken significant repair and maintenance works within funds raised and has never sought financial assistance from the Parish Council and normally maintains a bank balance of approximately £4,000, although it has recently received a payment of £10,000 in respect of the government Covid-19 grant.

It was at a meeting with the Rural Community Council of Essex (RCCE) to discuss the options for the governance of village halls as part of the work to look at a new hall, that the VHC was made aware that the current situation in regards to insurance was exposing the individual committee members to liability. The VHC has no legal standing to take out insurance in its own right, RCCE advised that the owner should be insuring the premises.

There appears to be three potential governance scenarios where the Parish Council retains ownership of the Village Hall

1. The hall is managed directly by the Parish Council in its statutory capacity, not as a charity. The Parish Council operates the hall either as a committee or within the main body of Parish Council business.

The Standing Orders, Financial Regulations and any other Parish Council policy govern how the village hall is operated. If the village hall is managed as a committee of the Parish Council, it would appear that that the Clerk calls and minutes the village hall meetings, which could be held independently of Parish Council meetings, or could be held as a separate meeting, before or after the Parish Council meeting. As set out in Standing Orders non Councillors can be on committees, although they have some limitations on voting rights. The Clerk looks after the finances of the village hall, however a bookings secretary could be appointed to manage bookings and collect any hire income. The Parish Council, as owners of the Village Hall, insure the building and contents

2. The Parish Council hands over the management of the village hall to a Charity or Charitable Trust who lease the hall at a peppercorn rent (£1 per year). Ownership remains with the Parish Council, however management sits with the Charitable Trust (it is thought that Stebbing operates this model)

The advantages of doing this is to empower local people to run the village hall and to benefit from the entitlement to 80% mandatory rate relief and 20% discretionary rate relief; the disadvantage is that village hall management committees are not able to reclaim VAT in the same way as parish councils (*source ACRE information sheet 40*). Currently the VHC receive small business rate relief (£973 in 2020/21) which reduces business rates to zero, the statement by ACRE requires further investigation to understand the situation with regard to Good Easter Village Hall.

Where the parish council decide that they wish to hand the village hall to the community to be run as a charitable trust it will be necessary to take the following steps:

- the parish council need to decide whether they wish to transfer or lease the property to holding trustees for the village hall.
- the parish council could gift the property to the village hall but few parish councils would be prepared to do this. A sale of the property would be at a price negotiated with the village hall management committee by reference to its market value as a village hall. Leasing the property is the easier option as local authorities like a parish council have the power to charge less than the market rent where the property is to be used for community purposes. It may even charge only a peppercorn rent. Following the initial appointment of individual holding trustees the property should be vested in the Official Custodian for Charities
- a charitable trust (or other model for a village hall) will have to be set up by the first charity trustees drawn from the community along the lines of ACRE's Model documents with holding and charity trustees

The parish council and the village hall management committee need to be aware that once the property is held under a charity it is bound by charity law and that the parish council will have no powers of management or financial control other than its right (if provided in the village hall's governing document) to be represented on the management committee along with representatives of other local groups.

A village hall charity will normally have two sets of trustees (1) Charity or Managing Trustees and (2) Holding or Custodian Trustees. Although they are both trustees of the charity they have very different functions.

- Charity or Managing Trustees** These are the people who manage the charity on a day to day basis and in a village hall this will be the management committee.
- Custodian or Holding Trustees** A village hall charity will usually provide for a second set of trustees to be appointed to hold the land or property on behalf of the charity. These are the Holding (or Custodian) Trustees. Their sole function is to hold the title to the property. They should not be involved in the day to day running of the charity, which is the responsibility of the managing trustees (unless the governing document gives them certain other rules or responsibilities). In our case the Parish Council would be the Holding or Custodian Trustee

Further discussion would be required to ascertain whether the Parish Council or the Charity Trust would insure the Village Hall under this scenario.

Note that none of the current Village Hall Committee are willing to be Charity Trustees , so a new set of Trustees will need to be identified for this option to be feasible

There are four main types of charity structure:

- charitable incorporated organisation (CIO)
- charitable company (limited by guarantee)
- unincorporated association
- charitable trust

but it is only worth considering the benefits /drawbacks of these if the Parish Council consider this option viable.

3. The Parish Council hands over the management of the village hall to a Village Hall Volunteer Group who formally lease the hall at a peppercorn rent (£1 per year) or simply informally allow the Village Hall Volunteer Group to manage the hall with no lease. Ownership of the hall remains with the Parish Council.
(There are different types of lease, a repairing lease where the tenant takes on all responsibility for repairs and insurance, or internal repairing lease where the tenant has far less responsibilities and the owner can insure.)

Management of the hall, including bookings, invoicing, maintenance and accounts is undertaken by the Village Hall Volunteer Group.

The Volunteer Group may identify to the Parish Council (as landlord) any major repair works (eg new roof) that are outside its responsibilities as per the lease agreement.

This is effectively how the Village Hall has been successfully managed for the last 12 years, however exactly what liability sits with any VHVG in this scenario would need to be understood in order that the volunteers are aware of, and willing to accept, any personal liability.

An agreement with Terms of Reference could be drawn up such that it could be terminated for specific reasons (eg unsatisfactory maintenance, unsatisfactory cleaning, financial irregularities etc) such that the hall management could be reinstated directly to the PC in the event that the PC was unhappy with the way the hall was being managed

Summary

Good Easter is a small community of approximately 150 properties , with a significant proportion of retired residents

It has traditionally been difficult to raise enthusiasm within the community to support social events at the Village Hall (and the Sports Field) in significant numbers and events tend to generally supported by (and therefore funded by) the same people each time

The Village Hall Committee has been together for 12-15 years and have agreed to serve until the centenary of the opening of the village hall in April 2021

At that time, three of the five current committee members have advised that they intend to resign for different reason (length of service to date, other commitments in village activities and potential relocation)
If this happens, the VHC treasurer , who does now live in Good Easter May well also resign

Therefore, unless , in the interim, other residents come forward to serve on the village hall committee, there may be a situation where

- i) the village hall may be run directly by the Parish Council without a Village Hall Committee or
- ii) the village hall may be run as a village hall / sports field committee (if the Sports Field Association are amenable to an amalgamation)

Therefore, any decision by the Parish Council regarding the governance of the village hall now has significant implications for the future and needs to take these points into consideration and should also have the agreement of councillors representing the Sports Field Association

It may be useful to seek further guidance from Sue Gibson of the RCCE before any final decisions are made

Paul West
Chair, GEVHC
23/09/20