

BADINGHAM PARISH COUNCIL

Minutes of the **Council Meeting** held on Tuesday 11th January 2022 at 6.30pm
in Badingham Village Hall, Low Street, Badingham IP13 8JT

Members: Cllr. S. Frost (Chair) Cllr. D. Horrocks Cllr. R. Welham
Cllr. M. Bowe Cllr. T. Mountain

12/21 Apologies for Absence

There were no apologies for absence.

13/21 Co-option of Cllr. Fountain:

The Clerk asked newly co-opted Mr. Thomas Mountain to sign the declaration of acceptance of office which the Clerk then witnessed as the proper officer.

14/21 Declarations of Interest & Requests for Dispensation:

There were no declarations of interest or requests for dispensation.

15/21 Minutes of the previous meeting

The minutes of the meetings 3rd December 2021 and 9th June 2021 were presented for approval. **It was unanimously RESOLVED to approve the minutes of these meetings.**

AT THIS POINT CLLR. HORROCKS JOINED THE MEETING

16/21 Open Forum

There were no members of the public present.

17/21 Report from the County Councillor S. Burroughes

A written report had been received and was noted.

18/21 Report from the District Councillors L Freeman and M Cook

A written report had been received and was noted.

19/21 Accounts

- a) It was noted that the Precept of £10,047 had been received in April.
- b) The Clerk presented a list of payments to approve. This included payments to be retrospectively approved made between July and November. A small error was amended and initialled by the Chair. **It was unanimously RESOLVED to approve the Payments** and the Chair signed the document.
- c) **It was unanimously RESOLVED to approve the setting up of a standing order of an annual payment of £35 to the Information Commissioners Office.**
- d) The Clerk presented the Bank Reconciliation. The latest bank statement was 7th December 2021. At that point there was £ 3,975.81 in the current account and £ 4,565.06 in the savings account. The Chair signed the bank reconciliation.
- e) The Clerk presented the Budget vs Actual report. It was noted that there was a large amount of VAT to be claimed, which will be done as soon as possible once the Clerk has the information that she needs.
- f) The Clerk stated that she had put the new PC onto the insurance, which did not result in any increase in cost.

20/21 The Village Hall

- a) Cllr. D. Horrocks declared a non-pecuniary interest as he is a trustee of the Village Hall Committee.
- b) The Clerk had prepared a paper (appendix 1) on the status of the Village Hall and its charity/committee. The Chair stated that the Village Hall Committee had reached a crisis point as there were only two trustees instead of the potential fourteen and that the funds were very low, due to the spending on the renovations. One option was for the Parish Council to become the sole trustee. Another option was to go back to the original seven organisations that still exist and ask them to nominate their trustees, as specified in the governance document.

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After discussion, it was felt that, before the Parish Council offered to become the Sole Trustee, the second option, to ask the remaining organisations for nominations, should be followed. **It was unanimously RESOLVED to ask the Village Hall Committee to call a village wide meeting with specific requests for the attendance of the remaining nominated organisations, as listed in the 1951 Governance. At that meeting, the Parish Council would like the Village Hall Committee to inform the village residents of the current situation and the options that are possible.**

- c) The Clerk and Cllr. Horrocks had reviewed the current Village Hall Committee finances. There is insufficient remaining to pay the required bills before the end of March. After discussion, **it was unanimously RESOLVED to suspend the Grant Policy and donate £1,000 to the Village Hall by the Parish Council so as to keep it open.**
- d) The Clerk reported that she had a quotation from BT to install internet into the hall. This would be paid for by the Parish Council as it is necessary for the parish council meetings. Additionally, the District Councillors have stated that they would be prepared to provide the Parish Council with a screen and projector to be installed in the village hall, to allow them to view planning applications and other Council business. **It was unanimously RESOLVED to install internet into the Village Hall.**

21/21 Budget & Precept for 2022/2023

The Clerk presented a proposal for the budget for 2022. (appendix ii)

The Clerk stated that because of the poor financial state of the Village Hall, she had included a one-off grant of £5,000 in the budget. Without this grant, the Village Hall will be forced to close.

As custodians of the Village Hall, the Parish Council agreed that they have a duty to assist in keeping the Village Hall open for the community. The £5,000 will be a one-off item in this year's budget and therefore the Precept will reduce in the following year. The £5,000 to be paid in quarterly instalments of £1,250 and the full amount will be only paid if required. Additionally, a £1,000 has been budgeted towards increasing reserves.

The members agreed with the proposed budget including the one-off grant and the Precept to be set at £16,000 for this year only, on the basis that it is expected to reduce by £5,000 the following year.

It was unanimously RESOLVED to accept the proposed budget for 2022/23 and set the precept to be £16,000 under the terms that the one-off grant of £5,000 to the Village Hall will be removed from the budget the following year.

22/21 Policies

- a) **Code of Conduct:** The Code of Conduct had been circulated. **It was unanimously RESOLVED to re-adopt the Code of Conduct.**
- b) **Standing Orders:** The Standing Orders had been circulated and reviewed. **It was unanimously RESOLVED to re-adopt the Standing Orders with no changes.**
- c) **Financial Regulations:** The Financial Regulations had been circulated and the Clerk pointed out a change that had been made to section 4. **It was unanimously RESOLVED to adopt the updated Financial Regulations.**
- d) **Asset Register:** The Asset Register had been circulated. Cllr. Welham and Cllr. Frost commented that there were some items missing. The Clerk asked for them to be emailed to her so that she could add them and re-present the Asset Register at the next meeting.

23/21 Audit Reports

- a) The Internal Audit report had been received in June 2021. There were 3 minor comments which were noted by Council and will be dealt with before the next audit. **It was unanimously RESOLVED to accept the internal audit.**
- b) The External Audit report had been received in August 2021. There were no issues raised. **It was unanimously RESOLVED to accept the external audit.**
- c) The notice of conclusion of audit was published on 29/9/2021.

24/21 Queens Platinum Jubilee

Cllr. Horrocks reported on the meeting that had been held in the previous week by the BCC where events such as the beacon, and a lunch had been organised.

Cllr. Frost has registered the Parish Council for the Tree planting scheme – Treebilee. She asked members to formally agree to proceeding with the request for a tree. **It was unanimously RESOLVED to agree to acquiring a tree as part of this scheme.**

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It was unanimously RESOLVED to extend the meeting by 15 mins to 8.45.

25/21 New Councillors

The Chair reminded Councillors that there are still 4 vacancies on Council. She asked if this could be mentioned in the proposed village meetings.

26/21 Website

It was agreed to defer this item to the next meeting.

27/21 Planning

Cllr. Horrocks declared a pecuniary interest in this item as he is the next-door neighbour, and he took no part in the discussion or the vote.

Planning application DC/21/5553/FUL for The Mill House, Mill Road was discussed. **It was unanimously RESOLVED to raise no objection to this application.**

The meeting closed at 8.35 pm.

Karen Forster

Interim Clerk to Badingham Parish Council

Signed _____

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Date _____

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Appendix I - Report on the Village Hall.

Introduction

The Village Hall, acquired by Badingham Village in 1951, is owned by the Council and held as a Charity (Badingham Village Charity).

According to the Village Hall Conveyance 1951, (attached), which is the valid one (note: subsequent changes were not registered properly with the Charity Commission and therefore do not stand) the following applies amongst many other criteria:

- The Village Hall Committee should have no more than 14 individuals
- 7 organisations – The Parish Council, the Parochial Council, WI, Bowls, Football Club, Men's Club, Non-denominational chapel, should appoint at least one individual to the Committee as the principal members.
- The 7 members can decide to co-opt up to 3 people not in the 7 organisations
- People from other organisations can be appointed if a 2/3 vote agrees it.

It is a clear item in the Conveyance that all members of the Charity are to manage the interests of the Village Hall as a whole and not for their personal organisation.

Current Status

The Village Hall Committee and Charity has now fallen by the wayside. The Charity, although it lists 2 trustees, only has one in the village – Debbie Horrocks. The Village Hall committee is now Debbie and Duncan Horrocks only although Duncan was not officially appointed. The accounts/bookings/ organization etc. has fallen to them and therefore some of the administration and management of the renovation has fallen onto the Parish Council clerk (which is paid for by the Parish Council). In recent months has been disproportionate to the work required for the Parish Council.

The issue is that there is little or no interest in the village of becoming a trustee or an active member of the Village Hall committee for a variety of reasons. But the hall is now in a restored state to be used by the Community and generate income to support itself. Secondly, the list of organisations and the governance document is now out of date.

The Village Hall has insufficient funds to continue paying for the running costs, due to the renovations.

Relationship with the Parish Council

The Village Hall Committee and Charity is not linked to the Parish Council other than the PC can appoint a principal member. The Parish Council should not be providing administrative support unless it charges for that support.

As stated, the Village Hall is running out of money and the Parish Council has had to donate significant grants, including CIL monies to support the Hall, leaving the Parish Council with insufficient reserves. This is in addition to the extra support in resources and time that the Parish Council has given.

To move forward

There are three pressing issues to be addressed:

1. There is a need for the trustees to meet and sign off the accounts for 2020/21 so that they can be audited, and a certificate provided to the Charity Commission which is due mid-February. This cannot be done without 3 trustees.
2. The future of the finances of the Hall needs to be secured – now there is insufficient income to keep the hall running.

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3. A new Village Hall management committee/trustees needs to be set up with urgency to to market the hall, gain bookings, find grants and ensure that the VH is available to the community as originally planned.

Possible solutions

For item 1, two new trustees can be appointed and meet to sign off the accounts. One could be from the Parish Council and one from another organization such as the Church.

For item 2, the Parish Council should firstly give an immediate grant of £1,000 to the Village Hall to tide it over to the next financial year. It should then give a grant of £5000 payable in 4 stages to the Village Hall in 2022/23. To raise that money the Parish Council should increase the precept. This should be understood to be a one-off grant, to be reviewed at the next budget review next year so as to reduce the precept for 2023/24. If any of the £5000 was not required, due to improved income, then it should not be awarded.

There are some options to item 3,

1. Ask for volunteers from the Village to become the new trustees as individuals and run the village hall committee with sufficient members to create an active group to market and hire out the hall.
It is currently considered unlikely that there would be a lot of enthusiasm for this. People are reluctant to take on individual trusteeship. Likewise, the committee could dissolve or disappear at any point in the future. The current governance would also require amending.
2. The Parish Council becomes the sole trustee for the village hall and creates a committee which runs the village hall. This committee is made up of a couple of Councillors and several parishioners who can vote and are delegated spending power. (These meetings would be held under Charity law and therefore a lot less formal) No individual is a trustee. There are a number of advantages in this, not least that the Parish Council is a constant and cannot be dissolved. Even if there were insufficient councillors, the District Council are obliged to put District Councillors in place until local councillors are appointed. Secondly, the VH would be able to claim back VAT. The governance would still require amendment. Thirdly, some of the administration would be legitimately part of the Clerks job.
3. Look to sell the Village Hall – this would require a submission to a secretary of state and may be blocked as it would be viewed as a community asset that should not be sold.

Proposal and Process

Having had several conversations with Robert Horn who is a recognized expert in Village Halls and Charity law, I have attached a number of papers. A number of other local councils are sole trustees of their halls or other assets. I would ask Council to consider the following:

1. A resolution to appoint a member of the current Parish Council as a trustee to the Village Hall charity with immediate effect.
2. To approach another of the listed organisations to appoint a new trustee and send a letter to the Charity Commission stating that they have appointed this person, I can provide a template.
3. A resolution that the Parish Council would be prepared to become the Sole Trustee of the Village Hall as soon as practically possible. When that has occurred, a new Village Hall Committee is created with up to 7 co-opted members of the community and 2 councillors. Should there be a short fall in the members of the community then additional councillors should take their place until community members can be appointed.
4. A resolution to grant the Village Hall £1,000 immediately

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5. A resolution to call a public meeting within the next 7 days to discuss how to move forward with the village hall and the proposed increase levy on the precept of £5,000 for the 2022/23 financial year, based on the terms above. This would be followed by an extraordinary meeting to agree the final precept.

As soon as two more trustees are appointed, as in item 1, there should then be a meeting called by the 3 trustees to both review and sign off the accounts.

To move the charity to Sole Trustee, once discussions and decisions are made, will require an amendment to the list of trustees on the charity commission and an amendment to the governing document to be submitted.

Karen Forster - Clerk to Badingham Parish Council

Signed _____

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Date _____

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Appendix ii

| | Budget | To Date | Remaining | Expected Final | Proposed Budget |
|---------------------------------|-----------------|-----------------|-----------------|-----------------|-------------------|
| General Expenses | | | | | |
| Clerks Salary | £ 6,260 | £ 4,079 | £ 2,181 | £ 4,079 | £ 3,685.50 |
| Interim Clerk Cost | £ - | £ 700 | -£ 700 | £ 4,000 | £ 2,600.00 |
| General Admin Expenses | £ 250 | £ 167 | £ 83 | £ 250 | £ 250.00 |
| Insurance | £ 380 | £ 374 | £ 6 | £ 374 | £ 380.00 |
| Audit | £ 115 | £ 315 | -£ 200 | £ 315 | £ 120.00 |
| Subscriptions | £ 350 | £ 266 | £ 84 | £ 302 | £ 350.00 |
| Website | £ 60 | £ - | £ 60 | £ 60 | £ 60.00 |
| Village Maintenance | £ 1,550 | £ 1,005 | £ 545 | £ 1,550 | £ 1,500.00 |
| ROSPA playpark inspection | £ 170 | £ 137 | £ 33 | £ 137 | £ 150.00 |
| Section 137 | £ 100 | £ - | £ 100 | £ 100 | £ 100.00 |
| Training | | | | | £ 300.00 |
| Village Hall Hire | £ 100 | £ 44 | £ 56 | £ 44 | £ 100.00 |
| Total General Expenses | £ 9,335 | £ 7,087 | £ 2,248 | £ 11,210 | £ 9,595.50 |
| Other Expenses | | | | | |
| Village Improvements | | | | | £ 500.00 |
| Village Hall Projector & Screen | | | | | £ 2,500.00 |
| Total Other Expenses | | | | | £ 3,000.00 |
| Reserves & Grants | | | | | |
| Village Hall Grant reserve | £ 300 | £ - | £ 300 | £ 1,000 | £ 5,000.00 |
| Village Hall Refurbishment | £ - | £ 8,967 | -£ 8,967 | £ 9,967 | |
| Election reserve | £ - | £ - | £ - | £ - | |
| Training reserve | £ - | £ - | £ - | £ - | |
| Grant for projector & Screen | | | | | £ 2,500.00 |
| Non-earmarked reserve | £ 400 | £ 503 | -£ 103 | £ 503 | £ 1,000.00 |
| Total Reserves | £ 700 | £ 9,470 | -£ 8,770 | £ 11,470 | £ 8,500.00 |
| Total Expenditure | £ 10,035 | £ 16,557 | -£ 6,522 | £ 22,681 | £ 18,596 |

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Income

| | | | | | |
|---------------------|-----------------|-----------------|----------------|-----------------|-----------------|
| Precept | £ 10,000 | £ 10,047 | £ 47 | £ 10,047 | £ 16,000.00 |
| Grants | £ - | £ 2,500 | £ 2,500 | £ 3,500 | £ 2,500.00 |
| Bank Interest | £ - | £ 1 | £ 1 | £ 1 | |
| Other | £ - | £ - | £ - | £ - | |
| Total Income | £ 10,000 | £ 12,548 | £ 2,548 | £ 13,548 | £ 18,500 |

| Precept | Last Yest | This Year | Change |
|--------------------|------------|------------|------------|
| #Band D Properties | 230.16 | 227.98 | -2.18 |
| Precept per Band D | £ 43.45 | £ 70.18 | £ 26.73 |
| Total Precept | £10,000.00 | £16,000.00 | £ 6,000.00 |

| Precept without Levy | | | |
|----------------------|----------|------------|------------|
| #Band D Properties | 230.16 | 227.98 | -2.18 |
| Precept per Band D | £ 43.45 | £ 48.25 | £ 4.80 |
| | £ 10,000 | £11,000.00 | £ 1,000.00 |

Signed _____

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Date _____