



DRAFT MINUTES

Meeting: EXTRAORDINARY **Date:** 20th August 2018 **Time:** 7.00 PM

Venue: NORTH WEALD LIBRARY, 138 HIGH ROAD, NORTH WEALD

PRESENT:

Councillors (11) A Buckley (Chairman), B Clegg, T Blanks, B Eldridge, R Spearman,
Mrs A Grigg, G Mulliner, A Tyler, Ms M Crosby, B Bartram, N Bedford

Also in Attendance (2)

Susan De Luca – Clerk to the Council
Joanna Tyler – Senior Administrative Officer

Members of the Public (0) No Members of the Public were present.

Members of the Press (0) No Members of the Press were present.

C18.071 APOLOGIES FOR ABSENCE (3)

NOTED that apologies for absence had been received from Councillors Mrs S Jackman MBE, Mrs E Godwin-Brown, D Stallan

C18.072 OTHER ABSENCES (0)

C18.073 DECLARATIONS OF INTEREST

Councillor Bedford declared a Non Pecuniary Interest as Vice Chairman of the Queens Hall Charity. Cllr Mulliner declared a Non Pecuniary Interest as Chairman of North Weald Village Hall. Cllr Bartram declared a Non Pecuniary Interest as ex Chairman of the Queens Hall Charity.

C18.074 QUESTIONS FROM MEMBERS OF THE PUBLIC

There were no questions from members of the public

C18.075 QUEENS HALL CHARITY

Members *NOTED* the background information as follows:-

A number of issues and concerns had been brought to the attention of the Parish Council and as the Parish Council is named in the Governing Document as being able to appoint 8 Trustees and also as being the Official Custodian of the Land that the Charity holds, the Clerk felt it appropriate to ask the Parish Council's Solicitor Mr Nick Evans for advice. Therefore the Clerk and 2 Councillors attended a meeting with the Solicitor. Following this the Clerk, Cllr Buckley and Cllr Blanks attended a meeting of the Charity on the 17th July 2018 which it was understood was going to be the AGM, however no Notice of Meeting had been posted.

Upon arrival at the meeting it came to the attention of those present that the meeting was not quorate. There were 3 Trustees present who were Vince Curren, Diane Archer and Carl Ginn, Vince advised that the Charity only had the following Trustees:

Vince Curren
Diane Archer
Bob Wood (Treasurer)
Carl Ginn
Nigel Bedford
Elaine Godwin Brown

There was no Chairman and no Secretary, the Minute Secretary had recently handed in her resignation. Helen Gould had been a Trustee and had recently resigned but was continuing in her position as Bookings Secretary. Brian Bartram had held the position of Chairman but had resigned as a Trustee in May.

A lengthy discussion took place at the meeting as to what the perceived and actual concerns were, documentation relating to this is attached for Members perusal at **Appendix 1**, detailed notes from the meetings (17th July & 31st July are attached for Members) together with a History of the Charity and Notes from the Meeting with the Solicitor, and a detailed list of Maintenance and Repairs to be carried out to the Hall. It has now come to light that there is also £3500 of Electrical Safety Repairs to be carried out which are still outstanding which have to be added to the list.

The list of Essential Repairs/Maintenance Items (as it stood before the Electrical Works were advised of) were listed in order of need and items were detailed as being numbered 1-5 as being most pressing, these amounted approximately **£3000**.

It has been difficult to get a full financial history from the Treasurer, and the Clerk to the Council only received a report on Sunday 12th August for both the year ended 31st March 2017 and 31st March 2018.

These are simple 1 Page sheets for each, with no real financial history, projected budget or detail to give a real understanding of what the Charities current Financial Standing is.

What was also put forward by the remaining Trustees is that there is no one who can undertake administration on behalf of the Charity. Obviously this is of concern to the Trustees.

The Clerk is looking at obtaining grant funding for some of the larger projects and has arranged meetings with Voluntary Action Epping Forest, and has also spoken with Epping Forest District Council regarding their Grant Funding Scheme, however the projection and financial history of the Charity is also relevant for the majority of schemes. Essex County Council are also undertaking the CIF funding this year so this is also a good funding scheme that could also be applied for, the Clerk has also applied for two very small grants, one of £250 and one of £500, however accounts and **Bank Statements must** be provided for both of these funding streams.

The Clerk has also contacted the Community Payback Volunteers to see if they can help with some of the larger projects such as clearance of the Tennis Courts and the Pathways, and a decision on this is awaited.

The Clerk has undertaken a recruitment campaign with regard to addition Trustees, and has so far had interest from 6 volunteers who may indeed be interested in becoming Trustees, however they would not wish to be officers of the Charity. Therefore this would mean that the Charity would need someone to run the administration of the Charity. The Parish Council currently does not have the time to undertake this work and the Charity does not have the funds to pay for the administration work to be carried out. If you work out the cost for an Administrator for 5 hours a week for the Charity (bare minimum), would be £8 an hour this would work out to £2210 per annum.

So the Proposal before the Parish Council at the current time is as follows:

- Nominate additional Trustees
- Fund Essential Repairs up to £3000
- Fund an Administrator

The Chairman stated that the Parish Council needed to discuss putting together a rescue package for the Queens Hall Charity, adding that there were three proposals for Members to look at to get the Queens Hall Charity back on an equal footing. The Chairman handed the meeting over to the Clerk to brief Members.

The Clerk thanked Cllr Bedford for managing to obtain some paperwork from the Queens Hall Treasurer. The Clerk advised Members that the paperwork received was a complete and utter mess and that she would be looking to try and put together a set of accounts with the assistance of the Senior Administrative Officer, the next day. The Clerk stated that there is a cheque book missing, however, if a set of accounts can be produced, she would be able to submit two grant applications. The Clerk advised that she had already applied for two small grants one for £250 and one for £500, however, she could not proceed any further with them until she had received bank statements.

The Clerk advised Members that she had arranged a meeting with Voluntary Action Epping Forest the previous Thursday to discuss the huge amount of emergency work outstanding. Voluntary Action Epping Forest believe that a grant funding bid could be put in to keep the hall open, as it is virtually bankrupt. If the Queens Hall Charity carried out all the emergency work, they would not have enough funds for their liabilities. The Clerk advised Members that Voluntary Action Epping Forest would look at the grant bids to make sure that they had been worded correctly. The Clerk stated that she is going to look at a £5,000 grant from Epping Forest District Council and a £20,000 grant from the CIF. The Clerk stated that if Members agreed to fund a rescue package, Voluntary Action Epping Forest believe that both Epping Forest District Council and the CIF may look more favourably at the grant applications, as the Parish Council had reacted to the situation straight away.

The Clerk informed Members that she had 6 to 8 people who are interested in becoming trustees. The Clerk advised that Cllr Tyler had suggested a good idea which is to have a management committee who could assist the trustees, perhaps a group of councillors who could guide them, as Parish Council do with the Neighbourhood Plan Steering Group, so that they would not flounder.

Councillor Bartram informed Members that there is a grant application of £536.00 approved by the Stansted Airport Passenger Trust, adding that the Stansted Airport Community Trust is still available as it is over three years since they granted the Queens Hall any money. He stated that with regard to funding an administrator, there is a precedence from the Parish Council whereby around three years ago, a fund was put aside for a Minute Secretary, but in the end the Queens Hall Charity did not need those funds and they were returned to the general reserve for the council.

Cllr Eldridge asked whether the people who have a concern, those who are in charge of various activities in the hall, would still have a say in the matter, as they have in the past, referring to the previous problems. The Clerk advised that they are still trustees and that at least two of them have now realised how wrong they were when they accused the Parish Council of trying to take over the Queens Hall. The Clerk reminded Members that at the time she had drafted a Business Continuity Plan, a copy of which was produced for Councillors, and had informed the trustees that within three to four years the Charity would be bankrupt if action was not taken.

Cllr Bedford stated that one of his concerns is that some of the clubs which are listed in the Governing Document were no longer in existence and asked whether an early review of the document would be made. The Clerk referred to the report in the agenda, confirming that the Governing Document would need to be amended. The Clerk informed Members that there was to be an informal meeting at the Queens Hall the next day. The Clerk advised that she could not call a meeting and that it must be called by a trustee. The Clerk informed Members that she had spoken with one of the officers from ACRE, an organisation who deal with village halls throughout the country, and the officer had advised that the first thing that needs to happen is to remove the current treasurer from the position.

Cllr Bedford asked Cllr Bartram if the treasurer is co-opted. Cllr Bartram confirmed that he was, and that there was also another trustee who was co-opted. Cllr Bartram also advised that all trustees are cheque signatories for the Charity's bank account.

Cllr Mulliner asked if there is Liability Insurance in place for the trustees. The Clerk confirmed that there was and that she had seen the document. Cllr Mulliner asked if there could be rolling trustees from the Parish Council, whereby any 8 trustees could attend, as opposed to 8 named. The Clerk advised that the 8 trustees would need to be named. The Clerk informed Members that on checking with the Charity Commission today, all those trustees who resigned are still listed as trustees of the Queens Hall. Cllr Bartram advised that the treasurer is the person who holds the password to access the changes. Cllr Bedford stated that the Charity Commission is supposed to be notified every year of the rolling trustees and all are supposed to sign a Declaration of Interest,

however he did not recall signing one every year. The Clerk stated that the officer from ACRE had said that a special meeting would need to be called, following which an AGM could then be called by one of the trustees.

Cllr Mulliner referred to the proposal of funding an administrator and asked that if Councillors agreed to this, could it be for a limited period. The Clerk stated that she would be looking to review this after one year, at the AGM. Cllr Mulliner asked if the Parish Council could ensure that it had 8 appointed trustees at least. The Clerk confirmed that she had 8 people who were interested. Cllr Mulliner referred to the Cricket Club, stating that it would appear that they cut the cricket pitch, for which it was his understanding that they were paid. Cllr Mulliner asked if it could be ensured that the cost for cutting the pitch be recouped from those that use it, plus a profit. The Clerk stated that she had spoken to Cllr Bartram about this, because together with the Senior Admin Officer she had taken a cursory glance through the bank statements earlier in the day and at the moment in the last year, no income can be found coming in from the Cricket Club at all. The Clerk informed Members that Cllr Bartram believed that the Cricket Club paid fees of between £750 and £1000 per year. However, this is not being credited to the main current account. The Clerk has not found hire agreements for either the Cricket Club or the Football Club. However, the Clerk has found £500 credited this year for the Football Club. Cllr Bartram believed that this was for the use of two pitches for the year. The Clerk has found money being paid to the Cricket Club, therefore this would need to be looked at carefully.

Cllr Tyler expressed his concern about the current state of affairs and believed that as of 1st September, everybody who wished to be a trustee would need to apply. Adding that anyone who has an existing contract with the Queens Hall would also need to reapply. Cllr Bedford stated that he supported what Cllr Tyler had said, however, advised that an AGM would need to be called first in order to null and void any contracts. Cllr Bedford stated that they need to be guided by the Clerk and follow a set procedure and process, adding that the Parish Council needed to decide whether or not they were going to support the proposal.

With regard to the hire fees, the Clerk stated that she would be happy to assist the smaller community clubs, who do not have many members, with applying for grant funding.

Cllr Blanks stated that he had the opportunity today to look at the paperwork received and stated that we need to make sure the balances on the balance sheet are correct as at the 31st March 2018 and use the 31st as a point to go forward. He stated that we could go back further, however the current situation is the important thing. He suggest that we try and find out as much as possible, and perhaps gain access to the computer program that has been used. Cllr Bedford mentioned that there were two discs included with the paperwork. Cllr Bartram informed Members that an old computer program had been used, he believed it was called Lotus, as he had accessed the system via an old laptop in the past.

The Chairman referred to what Cllr Blanks had said and stated that both the Clerk and

Senior Admin Officer would be looking to put together a set of accounts the next day and expressed concern that if the funds were not up to date, he would not want a grant application to be submitted and subsequently rejected by the panel because of this. The Chairman also stated that he would not like to see the reputation of the Clerk and the Parish Council tainted because of this, adding that looking at the accounts needed to be the first priority. The Clerk informed Members that she hoped to have something put together for the Queens Hall Meeting the next day and stated that it had not been her intention to look at this in Parish Council time, however had no choice. All other previous work had been completed in the Clerk's own time. Cllr Bedford suggested that once a set of accounts had been produced, it would be a good idea to produce a small business plan with regard to statutory obligations, such as Legionella risk assessments, etc. The Clerk stated that the Senior Admin Officer had put together information used for the Parish Hall, which she would be sharing at the Queens Hall meeting. Cllr Bedford stated that by listing the statutory obligations in a business plan it would cover the Parish Council, should anything happen in the meantime.

Councillor Ms Crosby asked what would happen if the Parish Council do not support the proposal. The Chairman stated that the worst scenario would be that the Queens Hall would have to close. Cllr Ms Crosby asked if this happened would the hall be sold. Cllr Bedford stated that the Charity Commission would look at the closest charity to see if it could possibly take the hall on, adding that if that failed, the building and area would need to be closed off.

The Clerk informed Members that she had handed to Cllr Bartram details of additional electrical works which needed to be carried out, which the Parish Council had not been advised of. Cllr Mulliner informed Members that he had also been advised by the Queens Hall Booking Secretary that at least two people had not been paid in the last month, which could amount to another £700.00. Cllr Bartram stated that all of the internal electrical work had been completed and paid for. He advised Members that the treasurer was supposed to have submitted a grant application for this work, adding that the electrical contractor was very good and waited to be paid, however had to be paid out of the funds when Cllr Bartram found out that a grant had not been applied for. The Clerk asked whether the £3,500 was still work to be completed. Cllr Bartram confirmed that it was, adding that he would not have asked for the work to be done without money being in the account. Cllr Bartram stated that the only electrical work to be completed is on the outside. The Clerk asked if the £3,500 had to be added to the list of outstanding works, as attached to the agenda. Cllr Bartram confirmed that it did.

Councillor Tyler asked if there was a certificate for the electrical installation. The Clerk stated that she had some documentation, but did not know if there was a certificate amongst it. Cllr Tyler stated that he did not think that there would be a certificate and quoted a statement made in the letter from the electrical contractor, as attached to the agenda. Cllr Bartram stated that the work had all been completed. Cllr Tyler stated that the Queens Hall would not be covered under their Liability Insurance without the certificate. Cllr Bartram reiterated that the works had all been done. The Clerk asked whether she should contact the contractor. Cllr Tyler confirmed that the contractor should be contacted adding that if the work was certificated, the contractor

should be able to supply the certificate within 36 hours, adding that if a certificate is not provided, the hall should not be open. The Clerk stated that she would contact the electrical contractor as a priority the next day. Cllr Bartram stated that the Insurance Company know about the electrical works. Cllr Tyler stated that the Insurance Company might know about it, but they would have expected a certificate. Cllr Bartram stated that he knows that the Queens Hall Charity were given time to get the certificate but he does not know when that time runs out. Cllr Bedford asked Cllr Bartram if the work had been completed and paid for. Cllr Bartram confirmed that it had. Cllr Bedford stated that under due diligence, you have had the work done and paid the bill, it is now down to the Insurance Company to provide a certificate. Cllr Bartram stated that they had renewed the insurance. Cllr Bedford stated that the Insurance Company would not renew the certificate if they were not satisfied. Cllr Bartram stated that this came to light because the Insurance Company did want to see the certificate for the electrical installation, adding that no testing had been carried out for at least 5 years. The Clerk reiterated that she would contact the electrical contractor and that if a certificate cannot be issued, she would need to ask why. Cllr Mrs Grigg stated that the Clerk should also ask about the further remedial works to be undertaken.

Councillor Clegg stated that after listening to the discussion he had broken it down into two questions. Firstly, is the building safe and if it is, the Parish Council need the necessary paperwork to declare it is safe. Secondly, the financial problems, adding that he believed that the Parish Council needed to wait for the Clerk and Senior Admin Officer to look at the paperwork in order for the Parish Council to establish a clear plan.

Parish Councillors continued to discuss at great length matters regarding the administration of the Queens Hall, including regular hirers, hire rates, the appointment of trustees, existing contracts, etc.

The Chairman stated that in order to bring the meeting to a close, would Members raise their hands if they were in agreement to the sum of £6,000 being provided to fund essential repairs and an administrator for the Queens Hall:-

9 Councillors voted in favour
2 Councillors abstained.

The Chairman asked Members if they were in favour of nominating additional Trustees. All Members voted in favour.

The Chairman reiterated that the funding of an administrator would only be for a 12 month period:-

9 Councillors voted in favour
2 Councillors abstained.

Councillor Clegg stated that he believed it was very commendable that the Clerk had offered to be an adviser at the Queens Hall Meetings, however, he would suggest that this is looked at in the beginning of 2019 to see whether or not the Clerk is still happy

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to volunteer to do this. Cllr Mulliner asked if the meetings are open to the public, the Clerk confirmed that they are. The Chairman stated that both himself and Cllr Blanks had also offered to go along to the meetings. The Clerk thanked Cllr Clegg for his comments.

Councillor Tyler reiterated about the state of the Queens Hall building, referring to the discussion regarding the electrical certificate and the Clerk confirmed that this would be her first priority the next day.

Meeting Closed: 8.30pm

Signed:

Date: