

**DOLTON & DOWLAND  
VILLAGE HALL COMMITTEE  
Registered Charity No. 300816**

**Minutes of a Meeting held  
Thursday, 24<sup>th</sup> February 2005**

<b>Present:</b>	<b>John Cotter</b>	<b>Chairman</b>	<b>Pauline Wooddisse</b>	<b>Treasurer</b>
	<b>Vivien Cotter</b>	<b>Secretary</b>	<b>Richard Currie</b>	
	<b>Roger Dunn</b>		<b>Cathy Freeman</b>	
	<b>Graham Hutchings</b>		<b>Sue Jury</b>	
	<b>Margaret Ogden</b>		<b>Sally Berkley Sage</b>	
	<b>Nicholas Wood</b>			

**ACTION**

1. **APOLOGIES FOR ABSENCE:** Angela Chivers, Rose Lock, Hettie Sargeant and John Silltow.  
The Chairman welcomed Nicholas Wood to the meeting. In addition to attending the meeting to clarify the paper which he had prepared regarding ownership of the land on which the Village Hall stands and other documents (a copy of which is appended to these Minutes). Nicholas Wood had indicated that he also wished to represent St. Edmund's Church on this committee. This was proposed by JC and seconded by VC.

2. **MINUTES OF THE PREVIOUS MEETING**  
The chairman was authorised to sign the minutes of the previous meeting as being a true and correct record.

3. **MATTERS ARISING NOT COVERED ELSEWHERE:** There were none.

4. **TREASURER'S REPORT**

Current A/c	£ 877.31	
Savings A/c	£2,311.34 (incl. £7.47 interest)	
Restoration Fund	£3,211.62 (incl. Interest)	
Cash in Hand	£ 46.54	
Outstanding accounts were as follows:		
	November	£7.26
	December	£7.26
	January	£85.80

Cheques issued were as follows:-

£200	15/2 to Caretaker
£ 67.19	17/2 Performing Rights Society
£ 20.96	24/2 Bowdens for floor cleaning product

£156.26 had been paid in from the mini-market/coffee mornings.

JC thanked the treasurer for her report.

5. **VILLAGE HALL**

a) **Wine & Wisdom:** JC advised that due to lack of bookings this had been cancelled.

b) **Easter Fayre:** Arrangements were in hand for this event. A total of 16 tables had been let; St. Edmund's representatives asked for two tables to be set aside for the Church. MO will do the door/raffle; VC asked for donations for the Tombola which is the Hall's own stall. Providing there are no bookings for the Hall on

ALL

the Friday afternoon or evening of the 11<sup>th</sup> March, GH/RD will set up tables on that afternoon. Otherwise tables will be set up at 9.00am Saturday morning.

- c) **Garden Party:** JC confirmed this would be held on Saturday 23<sup>rd</sup> July in Mr. T. Hannam's garden at Church Close. The Balloon Race will also take place at that event – it is anticipated to have double (400) the number of balloons this year. In addition to Scammell Adamson, Messrs Stones, Solicitors, have also agreed to provide £200 sponsorship. A discussion took place regarding obtaining sponsorship for the gas to be used in the balloons.

JC

Both the Garden Party and Open Gardens events will become a standing entry in the Diary.

- d) **Re Income:** JC advised that because of falling numbers, the Pre-School Group would be cutting their usage of the Hall by one day per week. This would amount to a drop in income of approximately £390 p.a. In the not too distant future, if things do not improve, it is likely that the Play Group may be incorporated with the school and all income will be lost, i.e. 50% of Village Hall income. Alternative day time usage for the Hall needs to be considered.

- e) **Broken Window in Front Door:** Agreed that MS be given the option of repairing this damage. JC will follow-up.

JC

- f) **Licensing Act:** JC advised that he had now received from Torridge District Council information regarding the introduction of the Licensing Act 2003, which comes into effect 1<sup>st</sup> April 2005. Full Guidance Notes were also enclosed and these are available for information. It may be necessary to obtain a Temporary Events Notice providing not more than twelve events are held in the Hall per year. JC has sought further clarification in writing from Torridge regarding whether a licence will be required for events such as Wine & Wisdom evenings. He will report back to the next meeting.

JC

## 6. TRUSTEES' RESPONSIBILITIES

A paper had been circulated to members which had been prepared by NW, and which set out his present views on the various deeds and documents he had been provided with regarding the Village Hall (these are also attached in the Minute Book).

Salient points are as follows:-

.1 The legal title of the Village Hall currently appears to be vested in Walter Armstrong and Fred Folland by a deed of gift dated 14<sup>th</sup> October 1981 (on behalf of what by then had become a larger body of trustees). As both these gentlemen are deceased, there now has to be an exploratory exercise to find out who the legal owners are. Clause 19 of the Scheme (which forms the committee's constitution) makes it mandatory for trustees to see that all trust property is transferred to the Official Custodian for Charities. At the moment that appears never to have been done; neither has the land in question ever been registered with the Land Registry. NW will ascertain from the Charity Commission what steps have to be taken in order to vest this property and also endeavour to find out who are the legal owners of the property.

NW

.2 JC confirmed that the Village Hall is covered by public liability insurance and NW spoke about "carelessness" and the possible liability to carelessness, for example should there be a claim following double booking of the hall. In this connection GH sought clarification of point 75 in the booklet CC3, 'Responsibilities of Charity Trustees' regarding whether charity trustees are able to use the charity's funds to insure themselves against personal liability. JC quoted from a letter received January 2004 from the Charity Commission which set out in simple terms the level of potential liability of trustees and what steps can be taken to reduce the overall level of risk. A copy of this letter is also attached in the minute book.

VC

RD reiterated his concern about becoming a Trustee. Until he has signed an official piece of paper he will not accept that he is a Trustee. Following the last meeting JC had written to the Charity Commission on 26<sup>th</sup> January 2005 regarding queries raised by GH and RD. He quoted from this letter and the Charity Commission's reply of 4<sup>th</sup> February 2005. Both these letters were read to the meeting and the following paragraph from the Charity Commission reply is relevant:-  
"When a charity has a trustee body such as a committee, it is the responsibility of the people who put themselves forward to be nominated or elected, to ensure that they are not disqualified by law from acting as a committee member." In order to regularise the position as set out in Clause 28 of the booklet CC3, it was agreed that VC would prepare a document for Trustees and representatives to sign at the next meeting.

VC

.4 With regard to point 17 of the Governing Document, Rules and Regulations, the implication is that one-third of the total number of members would be a quorum. NW was concerned that there may be some anxiety among the members and that people may not feel adequately informed. He will at some time prepare a suitable paper on this.

NW

5. GH raised the issue of the Deeds. JC advised that these were with the Clerk to the Parish Council. A brief discussion ensued as to who the correct custodian should be of these deeds and whether it was suitable for a solicitor to hold them on behalf of the Parish Council. JC read to the meeting an e-mail received from the Charity Commission concerning responsibility for holding the deeds, as follows:-

- Ø "Because the charity is an unincorporated association and as such cannot hold title to property in the same way as an incorporated body such as a company can, one or more Custodian Trustees act to hold title to the charity's property on its behalf.
- Ø These Custodian Trustees play no part whatsoever in the running of the charity and are obliged to follow the directions given by the Managing Trustees (the members of the committee).
- Ø They cannot enter into agreements on behalf of the charity or conduct any disposal of the property unless instructed to do so by majority decision of the Committee.
- Ø It is the members of the Management Committee who are the trustees of the charity and it is they who have the only power to make decisions involving its activities and the management of its property."

6. With reference to Clause 13 (2) Annual General Meeting, GH asked whether at future AGMs, did the committee think that any members of the public present should be able to vote. After discussion, it was agreed that this could present problems if voting affected concerns regarding the liabilities of Trustees.

#### 7. ANY OTHER BUSINESS

PW had seen a suitable cooker for the hall. The cost was £1,099 including VAT, for a ceramic hob; £699 for radiant rings and not ceramic. RD agreed to look at the stove in the catalogue and advise whether it would be compatible with the village hall. RD suggested appropriate amendments to the circuit to compensate for having one oven instead of two.

RD

In response to a question regarding the DDA audit, JC advised that he had that day received the audit and would bring it to the next meeting.

JC

#### 8. DATE OF NEXT MEETING

Wednesday, 23<sup>rd</sup> March at 7.30pm.

