



# BENWICK PARISH COUNCIL

Minutes of Benwick Parish Council meeting on Monday 22<sup>nd</sup> November 2022 at the village hall

<b>Present</b>	Cllrs M Chapman (Chairman), L Keppel-Spoor, A Cade, R Taylor, R Few, R Emmitt, R Smith, Clerk R Robinson and 18 members of the public	
<b>161/22-23</b>	<b>Apologies for absence</b> none	
<b>162/22-23</b>	<b>Declarations of Interest</b> a) Disclosable Pecuniary interest in items 163, 164, 168, and 169-174/22-23 was declared by Cllr Keppel-Spoor as a Trustee of the Village Hall. b) Non-Pecuniary interest in items 163, 164, 168, and 169-174/22-23 was declared by Cllr Taylor as a Governor of Benwick School	
<b>163/22-23</b>	<b>Report of Benwick Village Hall Committee (BVHC) members</b> The acting treasurer of the BVHC reports that in pre-covid times the hall usually broke even, balancing income and expenditure. The rents paid by the school are the biggest part of the income. There is a plan for the School to have new buildings including a hall of its own so they would no longer need to use the Village Hall (VH). Thus, the VH would lose about 70% of its income. However other income is increasing at the moment due to the efforts of the new booking clerk. Currently the VH needs an income of about £6,500 per annum to break even. Due to expected price rises this is expected to rise to £10,000 in the coming years. But without the school bookings the Hall hire revenue is estimated to be about £3,000 per annum. The VH has only one client (except the School) who makes regular bookings. A deal has been negotiated with the School to allow them to use the Hall for the whole of the school day in return for an increased payment of about £6,000 per annum. One of the requests of the BVHC for the Parish Council (PC) at this meeting is to approve this deal. Also Cambridgeshire County Council (CCC) on behalf of the School have expressed an interest in acquiring the VH instead of building a new hall for the school. They would then use the former VH building as they wished and might make it available for hire on evenings and weekends. Cllr Chapman noted that BVHC desperately needs volunteers to run the VH and that like thousands of village halls across the country is struggling financially due to covid and inflation. Cllr Chapman has resigned as a School Governor. He states that the proposal for CCC to take over the VH requires the agreement of the PC and a vote of a meeting open to all the villagers over 18 years of age. The Village Hall (VH) is built on Local Education Authority land, but the building is an asset of the village and has 90 years of its lease left. If the VH is lost now the village will lack a village hall facility for a long time. The VH was built with local funds to be for the use of the residents of the village and that is in the Trust document. Cllr Chapman stated that any way forward for the for the VH, especially if it involves the PC spending money as our money comes from the ratepayers of the village. If CCC is to take over the VH and incorporate it in the School, then they need us to agree to it before the end of January. Any plan to support the VH would have to be fairly long term as it might take two years for the VH to become viable independent of the PC.	
<b>164/22-23</b>	<b>PUBLIC TIME</b> A member of the public noted that when the present VH was built it had been planned and supported by the overwhelming majority of villagers to build it on land owned by the BVHC of that time. But at the last minute the BVHC of the time and the PC of the time were swayed by a few in leadership positions to accept the offer of CCC of a 125-year lease conditional on the School using the VH for several hours per week free, and other hours when they required it. He believes that CCC possibly taking the VH now is a sequel to that decision. The VH is a village asset that should not go out of the control of the village. Cllr Chapman stated that if the agreement on the increased use of the VH by the School is implemented then there will be no opportunity to build up non-School use of the Hall before the School completes its own hall and pulls out of using the VH entirely, leading to a sudden drop in revenue. Cllr Chapman supports short term support of the VH by the PC if it has the support of the villagers but does not support raising taxes permanently. A member of the public stated that when looking at villages to settle in, a village hall was one of the items he wanted. Communities are made by their people, but the people are	

brought together by the assets of the community such as a village hall. His view is that if lost the VH would be lost forever. Urges support of the VH by the PC. He and his wife are prepared to give practical and professional support to the BVHC. Believes with a tweak in the governance the VH can be made to work and that community groups will come forward to support this. The VH was built for this community and should continue to serve it into the future.

Two four or six trustees are reported as being still active on the BVHC. There is no chairman, secretary or treasurer. They are looking for volunteers and if they don't get them it will be shut down as a charity.

Cllr Chapman stated that they needed to elect a chairman from the remaining trustees to represent the BVHC.

Any volunteers willing to help please contact [benwickvh@gmail.com](mailto:benwickvh@gmail.com)

Cllr Chapman suggested putting a message on the Benwick Community and Benwick Discussion Facebook Pages/Groups.

Three trustees are required to authorise a change of signatories on the bank account.

People are being put off being trustees because they fear being liable for the debts and obligations of the VH.

Clerk advised (as informed by ACRE) that the PC as custodian trustees have to support the decisions of the BVHC unless they are unlawful or in bad faith or against the objects of the charity. ACRE have suggested that a new committee of trustees be recruited and in parallel with that the BVHC and the PC plan for the PC becoming sole trustees. PC members as a corporate body would be responsible for the governance of the Charity but other volunteers could carry out roles as laid down by procedures determined by the PC members meeting as collective trustee of the charity. The Parish Council (PC) as sole trustee could appoint a management committee for example to run the village hall according to terms of reference set by the PC as sole trustee. The outgoing BVHC trustees would have to agree to the PC becoming the sole trustee. Process involves approaching the Charity Commission. Liability for the debts and obligations of the Charity would then fall on the PC not the individual councillors or the management committee.

A Cllr Smith stated that the PC taking over as sole trustee but putting a management committee in place to run the VH should be seriously considered to overcome the difficulty of people being afraid to volunteer due to the problem of personal liability.

Members of the public voiced agreement with Cllr Smith.

Cllr Taylor stated that the PC needs to investigate the process and practicalities of becoming and being a sole trustee. Clerk referred to ACRE guidelines that he has circulated.

Cllr Chapman stated that right now trustees are needed and volunteers. He also stated that if the VH proved to be non-viable in the long term the PC should not continue to support it but should shut it down and hand the land back to CCC.

A member of the public asked if the VH could be run as a limited company, to avoid personal liability. Grants have been received due to being a charity. Cllr Chapman stated the VH cannot become a company as it is held in trust to be a village hall run as a charity.

A member of the public gave a list of varied uses which the village hall could potentially fulfil – coffee shop (e.g. at time of school drops and pick-ups), sandwich shop, meeting place, fruit and veg stall, parcel collection/drop off, post office, craft shop, learning hub, repair shop, office services i.e. printing, internet, business address, library, meetings, business centre, local trades referral service, workshops e.g. on wellbeing, cv writing, entry level skills and school holiday evening clubs e.g. Duke of Edinburgh scheme.

Could place this list and more on the FB pages to see if the village supports it.

School use of the VH during the daytime blocks much of this being done.

New proposal by the school is to use the VH from 8.00am to 4.30pm on every school day.

Up to now it has been used for an hour in the morning, an hour at lunchtime and Wednesday, Thursday and Friday all afternoon.

Cllr Chapman stated that the lease requires the PC to agree to the new proposal, if we say no then it goes back to the previous rates of payment. The first monies would come in from the new proposal if agreed at the end of January.

A member of the public asked if the school was paying the proper rate, a BVHC member answered that it would cover the costs unless the price of electricity goes up.

Cllr Chapman stated that if the PC says no to this new proposal than the BVHC will run out of money.

Cllr Emmitt raised the question that bookings are increasing, and the schools' use of the VH is blocking more users being found, we need information as to expected revenues and expenses.

The new proposal is to be agreed one school term at a time.

School have got funding and a commencement date for the building of the new school hall. Therefore, we have two years to plan for when they do not use the VH anymore, whilst

	<p>taking their money.</p> <p>A member of the public stated that the governance of the VH has slipped and believes the community and BVHC would be happier if the PC takes over as sole trustee of the VH. The community is unlikely to vote to give the VH back to CCC.</p> <p>A management committee could work for the PC who would hold a minimum of two meetings a year as trustees.</p> <p>Cllr Chapman stated that an urgent poll of the villagers was needed to gauge support for subsidising the VH from public funds. PC could stand behind the BVHC and support them for two years. Cllr Emmitt stated that the perception of risk to the management committee personally was important. Survey Monkey could be used for an online poll.</p> <p>Cllr Smith stated that a mixed poll of leaflets and online should be used. Cllr Keppel-Spoor suggested door-knocking.</p> <p>Cllr Chapman feels that the BVHC felt alone and need support from the villagers and in terms of funding from the PC.</p> <p>A member of the public proposed a petition.</p> <p>A member of the public remarked that he lived in Upwood for 17 years and that the village hall there is highly valued by the community and that the Church Room adds to the status of the village.</p> <p>Another said there were many more clubs in the village at the time that it was built who used the VH, but these have folded.</p>	
<b>165/22-23</b>	<p><b>Confirmation of Minutes</b></p> <p>It was Proposed and AGREED by Cllr Chaman to approve and sign the Minutes of the Council Meeting held on 7<sup>th</sup> November 2022</p>	<b>Agreed</b>
<b>166/22-23</b>	<b>Matters Arising</b> none	
<b>167/22-23</b>	<b>County &amp; District Councillors Reports</b> none	
<b>168/22-23</b>	<p><b>Village Hall 1 – requests of Village Hall Committee for support</b></p> <p><b>a) LED lighting funding</b></p> <p><b>b) Solar panels funding</b></p> <p>a) and b) dealt with together. Solar panels were installed 12 years ago and have never been connected or registered. Registration authority refuses to register them now and an electrician would not touch them or install LED lighting due to the age of the panels. Ransonmoor and Burnt House Farm windfarms are potential funding sources.</p> <p>Cllr Chapman to speak to the Clerk about his doing extra hours to assist the BVHC.</p> <p><b>c) School usage and payment to be formally agreed with the school/County Council (variation of lease?)</b></p> <p>Financial data is needed, former BVH treasurer believes he has forwarded income and expenditure sheets, cash flow forecast, Clerk has not seen this. Cllr Chapman asks what is an hourly rate for the cost of running the VH? Using the expenditure figures 1<sup>st</sup> April till now the estimate is £6,600 per annum. Cllr Chapman confirmed with the former treasurer that if that figure was divided by the number of hall open hours in the year that would give an hourly cost rate for the VH. In 2021-22 electricity was £900.</p> <p>Cllr Chapman stated that if the PC says no to this new proposal of increased school use of the VH the BVHC will run out of money. A meeting is needed with the head teacher, someone other than him to lead that meeting.</p> <p>Cllr Smith stated that we should agree for the coming term. In recent times revenues from the school have been about £3,000 per annum and other revenues less than £1,000 per annum. Bookings for other revenue are increasing, however.</p> <p>Cllr Keppel-Spoor stated that the PC have to deal with CCC not the school. Cllr Chapman believes that the CCC will implement the headteachers recommendations, BVHC to be invited to next PC meeting to tell the PC how long they want to do it for and what approach they want the PC to take to the school, over time. And how much they think the school should pay.</p> <p><b>d) Canvas the village regarding the community's need for a hall</b></p> <p>There is an end of January deadline to agree with CCC taking the land back. According to the lease the building will then belong to CCC.</p> <p>It was Proposed by Cllr Chapman and AGREED that up to £500 from the Parish Plan earmarked reserves be allocated to pay for a survey of the villagers, to see if they support the PC in spending to keep the VH open.</p> <p>It was Proposed by Cllr Chapman and AGREED that a working group of the whole council be set up to facilitate the survey.</p> <p>Consultation will be publicised on the village FB page</p> <p>Option to include the VH in the school may have gone, looking at recent email.</p> <p>Council to talk to ACRE about the consultation</p>	<p><b>Cllr Chapman</b></p> <p><b>Clerk</b></p> <p><b>Agreed</b></p> <p><b>Cllr Chapman</b></p>
<b>169/22-23</b>	<p><b>Village Hall 2 – condition of concrete paving at the front of the village hall – A member of the public and Cllr Chapman are going to fix it. The members of the BVHC present give their agreement. Cllr Smith may assist.</b></p>	<b>Cllrs Chapman and</b>

		<b>Smith</b>
<b>170/22-23</b>	<b>Village Hall 3</b> – response of the Parish Council as custodian leaseholders to the Village Hall Committee not being fully staffed:- it is suggested that the BVHC could put out messages seeking volunteers. BVHC to have a meeting to recruit new volunteers. A notice could be put in the Informer, cost would be about £50.00 The PC could cover this cost if BVHC request it at the next PC meeting.	<b>BVHC</b>
<b>171/22-23</b>	<b>Village Hall 4</b> – response of the Parish Council to the financial circumstances of the Village Hall:- BVHC has £4,800 in their account, they owe £1,800 to the insurance brokers. Money is coming in. The Cllrs concurred that they felt they would be responsive to any request by the BVHC for a grant. Cllr Chapman to find out if Burnt House Farm windfarm voted to fund village halls.	
<b>172/22-23</b>	<b>Village Hall 5</b> – to discuss and agree any actions required for the Parish Council's long-term vision for the Village Hall including planning for the administration of the Village Hall:- Becoming sole trustees may save on insurance costs. Village Hall to be on next month's agenda. Cllr Smith agrees with Cllr Cade that we can take the extra money from the school for up to two years and use that time to make a plan to run the VH successfully after the school pulls out completely. PC to have a zoom meeting with ACRE's village hall expert. Clerk advised the PC on ACRE's advice that the PC plans for becoming the sole trustee at the same time as supporting the VHMC with their operations, so the option is available if necessary. Clerk advised that if the PC took over as sole trustee of Benwick Village Hall it would continue to exist as a charity with the PC as a corporate body being the sole trustee of the charity. It was Proposed by Cllr Chapman and AGREED that the working group of the whole council set up to facilitate the survey in 168/22-23 would be extended to address any matters to do with the village hall.	<b>Clerk</b>  <b>Clerk</b>
<b>173/22-23</b>	<b>Village Hall 6</b> – to discuss and agree on any other actions needed in relation to the Village Hall - none	
<b>174/22-23</b>	<b>Village Hall 7</b> – to discuss and agree on planning for short term and long-term financial impact of the Village Hall on the Parish Council including budgeting for any expected expenses and raising the precept – discuss this under Village Hall agenda item on next month's agenda. We need to get copies of the accounts of income and expenditure, cash flow forecast etc. Barclays and Lloyds insist that you have three trustees. According to Charity Commission the last two trustees cannot resign until replacements are found. The question is what is the expected cost per hour of user-time of running the VH? Public are invited to give the Parish Council their views on the Village Hall and to attend PC meetings.	<b>Clerk</b>
<b>175/22-23</b>	<b>Agenda Items/Next Meeting</b> - to discuss and agree the format and date of the next Parish Council meeting proposed to be Monday 5 <sup>th</sup> December 2022. Items to be included on agenda should be with the Clerk by Monday 28 <sup>th</sup> November 2022 and to discuss and agree if a further extraordinary meeting is needed.	

Meeting ended at 21.22