



DOLPHINS HALL MANAGEMENT COMMITTEE

New Church Street, Tetbury, GL8 8DS

Charity Number: 274956



Dolphins Recreation Centre Annual Report April 2020 to March 2021.

Introduction

This has been a strange year. COVID-19 has stopped almost everything the trust normally does, yet the trustees have possibly been the busiest we have ever been. Not having to focus on the day-to-day activities of running the hall has allowed time for the trustees to correct and put in place some of the things that have been allowed to slip in the past. That means, as we now reach the end of our financial year and move into the next, we do so in a stronger, and maybe more organised position, than the trust has ever been in.

COVID-19

COVID has basically meant all the activities that would normally take place in the hall (exercise classes, dance, meetings, film showings, parties etc) and on the Recreation Ground (football, rugby, cricket, bowls etc) have just not been happening. On the other hand, with children being home from school and parents often working from home, we have seen many more people escaping the confines of their homes and enjoying some relaxation and exercise time on the Rec. As we come out of our COVID lockdown we look forward to seeing all our users returning to enjoy the facilities and hope that those who only discovered the facilities because of lockdown and having nothing else to do, continue to use and enjoy the facilities.

The Hall

Other than for a few months at the end of the summer, the Hall has been closed for the entire year. Towards the end of the first lockdown, we took advantage of the closure and had the hall floor sanded and re-varnished. While it's still an old floor and near the end of its life, at least it is now a clean and shiny old floor near the end of its life! Despite our focus on the Redevelopment Project, we still appreciate the need to maintain the Hall and this is just one example of our commitment to this until we finally replace it.

The Recreation Ground

It has been sad that there has been very little sport on the Recreation Ground during this year, however, on the plus side the lack of sport has given the ground a well needed rest. This, in collaboration with our extensive set of ground improvement works that having been progressing for the last couple of years, means the condition of the Rec is a lot better than it has been in many years. We have been able to carry out this work partly due to the great volunteer effort from current trustees, but also due to securing a multi-year grant from the Football Foundation to improve the quality of our grass pitches.



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Accounts

This year we changed accountants and while this would have normally been approved at an AGM, this was not possible in 2020 due to lockdown restrictions preventing an AGM being held. Given the level of dissatisfaction the trustees had with the exiting accountant, the decision was made to proceed with the change of the accountants as we believe it was in the best interest of the trust to do so. Our accountant is now Zebra Accountants of Turner House, 9-10 Mill Lane, Alton, Hampshire, CU34 2QG. They have, to date, been incredibly responsive and helpful and as a bonus they offered us a special charity rate for account preparation of just £150 + VAT which is an incredibly good deal compared to our historical arrangements.

The accounts have been prepared and have only recently been shared with Zebra Accountants to finalise our submission of these, but we hope to have these to share with you all very soon. As a summary however, the period has obviously seen a significant reduction in our hall booking revenue due to our enforced closure due to COVID. However, we did qualify for government coronavirus grant support for the hall which was a tremendous help for the year.

Despite this, the accounts when published will show an annual loss, however this is not unsurprising or unexpected, as it is primarily a result of our continued investment in the Redevelopment Project where significant sums of money have been spent on the planning process and site preparation. These monies were spent from money received in previous financial periods from the Gloucestershire County Council Big Community Grant.

Removing the new build expenditure and the trust would have actually made a profit.

The other number that needs some explanation is the £7522.80 in legal expenses. These are all related to the trust needing to defend Plot 8 from being illegally claimed by Tetbury Town Council (explained below). It is very sad that we have had to spend this money as it would have been far better to have been able to invest these funds into the facilities, but the trustees are legally obliged to protect the assets of the trust and needed legal support to do so.

New Build

The cost of planning a public building is enormous. Over these past twelve months we have had to commission a whole range of surveys including transport studies, drainage surveys and bat surveys. Fortunately, all the studies produced an amazing outcome for the trust and in August 2020 we were given planning permission for the full Redevelopment Project, incorporating Project 1 (Community, Sports and Youth Complex) and Project 2 (a New Dolphins Community Hall) as well as two possible houses at the front of the site. The houses will only be built if needed to fund the delivery of the Redevelopment Project and then only after allowing the people of Tetbury to vote on the matter.



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To get the Redevelopment Project to this stage has so far cost over £100,000 but we are all hoping that when all is built, and everyone is enjoying the new facilities it will all be worthwhile. It would have been great to be able to say in our Annual Report that we have now actually started building, but we are not quite there yet, but it is pleasing that some of the expenditure has been on the actual build site, rather than just planning and design costs.

Nevertheless, we are currently behind schedule and the biggest delay has been down to Tetbury Town Council delaying a decision on approving our S106 funding for over ten months. These delays unfortunately meant we lost our main contractor that we had been working with and has resulted to trustees having to take on more of the project management ourselves. COVID and Brexit have also further compounded the delay by leading to huge increases in material lead times and significant increases in material prices, which are now a lot higher than originally budgeted, so we are now having to work hard to make sure we get good value for money. On the positive side though, we are now in a position where we can shortly commence building and we have no doubt we will overcome these issues and Project 1 will begin to be built very soon.

Leases and Licenses

Despite sport being ruled as not part of the trust's charitable objectives, in order to fund the maintenance of the Recreation Ground for the benefits of recreation and leisure, the trust continues to lease an area of land to the Bowls Club, the Sports Pavilion to both the Football Club and Cricket Club and the Changing Facilities to the Rugby Club. Alongside this, we also license certain areas of the Rec to the sports clubs for use as sports pitches.

Sadly, for many years many of these leases and licenses had not been correctly maintained or renewed and had, to be honest, become a real mess. This year the trust has put an enormous effort into bring all these leases and licenses up to date and at the end of this financial year we are almost there. New leases and licences are in place with the Football Club and Cricket Club.

The Bowls Club lease is a long running lease, but as this financial year comes to end, we are in the middle of a rent review which must take place every five years. The lease requires the trust to have the property independently valued to enable a market level rent to be set as required by the Charity Commission where the trust wishes to rent or lease charity land on a long-term basis.

Update May 2021: An agreement has been reached and is currently being put in place.

The arrangements for the Rugby Club continue to remain under discussion and we are confident these will be settled before the beginning of the next Rugby season.

With the leases and licenses having now been updated and modernised, the trust will next year put in place the processes to ensure they are reviewed and renewed at the appropriate times and are not allowed to fall into a similar position again.



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Plot 8

Once the accounts have been finalised, one number that will need some explanation is the significant legal expenses incurred by the trust during the period. These are related to the trust needing to defend our ownership of Plot 8 which Tetbury Town Council have attempted to inappropriately seize. It is very sad that we have had to spend this money as it would have been far better to have been able to invest these funds into the facilities, but the trustees are legally obliged to protect the assets of the trust and needed legal support to do so.

At the 2019 AGM, a Tetbury resident raised a query in concerning Plot 8 on the Recreation Ground. Plot 8 includes the area of the Rec (known by some as the 'training ground') for which Tetbury Town Council have applied for an extension of the burial ground at St. Saviour's church and has long been the subject of much debate.

The query put to us was around the ownership of this plot of land as the planning application submitted by Tetbury Town Council indicated it was the owner of the land. However, there was a belief the Dolphins Recreation Centre Trust owned this land.

Since this time the trust has gathered a lot of evidence, including the deeds to the land, to demonstrate that this land is part of the Recreation Ground and is therefore in trust for the recreational use people of Tetbury. Charity law requires, not only the trustees protect the assets of the trust at all times, but also that the trustees always act in the best interest of the trust. This position has no reflection on the rights or wrongs of TTC's plans for the land, but only with the legality of the ownership of the land. As an unincorporated charity, the trustees would be held liable for any breach of this process or failing to defend the trust's assets.

Sadly, despite being presented with evidence that the land is owned in trust by the Dolphins Recreation Centre, and not being able to present any evidence of its own, Tetbury Town Council have refused to recognise that this land is in trust and that any future plans for it must follow correct charity law procedure. Given the hostile stance taken by Tetbury Town Council, this has led to the trust having to seek to protect its assets, which has caused the trust to have to spend a considerable amount on legal fees doing so. The trustees are very disappointed that the Council has chosen to force the trust to spend money that otherwise could have been spent on improving the facilities for the benefit of the people of Tetbury. It should also be noted that in doing so, Tetbury Town Council have also had to engage their own legal counsel, which will also be being funded by Tetbury residents via their Council Tax. The Council's stance unfortunately means, Tetbury people are paying twice and given the trust's conclusive evidence is just wasting our community money.



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The Future

The period has been a challenging not only for the trust, but also no doubt for all the residents of Tetbury personally. We do though think now is the time to look forward with the trust on a much better footing than it was twelve months ago. A number of long-standing issues have been resolved, we have planning permission and funding for an exciting Redevelopment Project, along with and a group of dedicated and hardworking trustees and volunteers.

If we continue to work together, and as a community, as we ease out of lockdown, the next twelve months could be very exciting indeed! If you want to get involved, whether that be through volunteering or fundraising, we'd love to hear from you, so do get in touch!

Take care and see you all soon.

Steve Scott (Scotty).
Chair of Trustees
Dolphins Recreation Centre