



**DOLPHINS HALL MANAGEMENT COMMITTEE**  
**New Church Street, Tetbury, GL8 8DS**  
**Charity Number: 274956**



**DOLPHINS HALL MONTHLY TRUSTEES MEETING**  
**TUESDAY 24<sup>th</sup> SEPTEMBER 2019**  
**THE DOLPHINS HALL, TETBURY**

<b>Present</b>	<b>Apologies</b>
Steve Scott (Chair – Resident)	Alex Ball (Resident)
Jamie Ponting (Resident)	Sue Brown (Resident)
Kevin Farnham (Film Society)	Jo Tancock (Tetbury Youth Club)
Patricia Burrell (WI)	
Robert McCorkell (Tetbury Town Council)	
Paul Jones (Resident)	
Mark Schumm (Tetbury Cricket Club)	
Martin Lea (Tetbury Rugby Club)	
David Hobson (Tetbury Dramatic Society)	
Jon Easterbrook (Resident)	
Richard Witchell (Tetbury Upton Town Council)	

**1. CHAIRPERSON'S OPENING COMMENTS**

The Chair, Steve Scott (SS) convened the meeting at 7.30PM. Quorum required is 5, 11 trustees present so meeting is quorate.

**2. APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Subject to a number of corrections being made, which were agreed by all the committee, Patricia Burrell (PB) proposed the approval of the minutes from the meeting on 20<sup>th</sup> August 2019 and this was seconded by Kevin Farnham (KF). All others were in favour of this, apart from David Hobson (DH), Paul Jones (PJ) and Richard Witchell (RW) who abstained due to not being present at the meeting.

**3. MATTERS ARISING**

SS gave an update on a number of matters from the previous meeting:

- The Charity Commission rules around trustees do not take precedence over the charity's own constitution and therefore the WI have to remain as a trustee group and cannot be removed at this time;
- The Town Council have resolved the Pod can be taken free of charge by any community group subject to the group agreeing to cover the costs of removal. SS highlighted the Pod was leaking and would require the water and electrics being disconnected prior to removal.

**4. CHAIR'S REPORT**

SS has confirmed Club 77 will not be returning to the Hall and as such Peter Martin has stepped down as a trustee. Club 77 new premises are smaller and therefore more suited to the needs of their user group. The trustees wanted to put on records their thanks to Peter for his contributions while a trustee and not least the levelheadedness he brought to discussions in a particularly turbulent time.



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SS has also met with Tetbury Lions to discuss the potential of frequent grants as they are looking to set up partnerships for small frequent grants. SS suggested an annual grant towards the maintenance of the playground and is waiting to hear back.

### **5. REDEVELOPMENT PROJECT UPDATE**

Jamie Ponting (JP) gave an update which confirmed the pre-planning application had been submitted to Cotswold District Council. Archio are currently liaising with Cotswold District Council to arrange a site visit.

Following advice from Archio, we will be conducting a public consultation post this process, likely in November. The date of which will be advertised online and in the Advertiser once agreed.

He also reported an update from the full council meeting of Tetbury Town Council (TTC) on Monday evening. Previously, TTC had confirmed they were holding the funds on the Dolphin's Hall behalf and would forward at any time it was requested. They have now clarified their position and understand they assume the legal responsibility, from Cotswold District Council, of ensuring the S106 funds meet the contractual obligations. This means TTC will require a proposal each time we request for funds to be forward and they will assess this in line with their interpretation of the various S106 agreements wordings prior to agreeing.

While the project in it's entirety has been confirmed to meet all our obligations, after taking legal advice, TTC have concluded that they will view the project as a number of phases and will only forward funds linked to specific phases, rather than handing the total amount over at the start of the project to allow the Dolphins Hall to manage from the beginning. This could have timeline implications for the project.

It was also noted TTC's initial suggestions and interpretations around some of the S106 agreements were not consistent with those of the Dolphins Hall. It was agreed JP would seek to contact the developers via Cotswold District Council.

**ACTION: JP**

The trustees also noted currently it is funding solely from the Big Community Grant which has been used to fund the various incarnations of the project and therefore, if TTC are requesting for funding to be allocated to different elements of the project, a request for an element of the S106 money not as for community hall use will need to be forward to cover a relevant percentage of this historical work. KF to review the development account and forward money spent on each of the previous planning applications.

**ACTION: KF**

### **6. LEGAL, FINANCE & ADMIN REPORT**

Kevin Farnham (KF) presented the accounts from 2017/18 which are those which have been marked by the Charity Commission as not yet been filled due to previous errors made by the former Treasurer and accountants.

His analysis has confirmed the accounts, although incorrect, are not outside of the realms which would be considered appropriate and the errors are not considered misleading in general, apart from potentially the figure recorded under Fixed Assets and in particular the valuation of Tangible Fixed Assets.



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This is due to an incorrect accounting practice being applied to the treatment of money spent on activity in relation to the redevelopment project. It was also noted funds from the redevelopment account had been spent on day-to-activity (i.e. the cleaning of guttering and the purchase of silk figures) which will need to be corrected.

The culmination of this is the balance sheet shows in the region of £56,000 as an asset which it should not.

The matter is further complicated by the fact that the accounts were incorrectly signed off by former trustees Colin Pearce and Sue Townsend as having been approved by the trustees when in fact these individuals had not presented these accounts to any other trustees for sign off. This is incorrect and the correct procedure should have been to (a) present these to all trustees during a formal meeting to achieve sign off and (b) have them approved at an AGM.

We cannot present a new and updated copy of the accounts to the Charity Commission without getting the accountants to agree to all of the changes. JP queried as why this couldn't be done and KF confirmed this could be an extremely time-consuming process. We also cannot simply amend the accounts previously submitted as they have been signed off, albeit incorrectly, by former trustees.

As such, KF proposed we submit the accounts as they are with a note confirming the issues which we've found, but to still keep the incorrect figures recorded, with a commitment in the note that these will be corrected within the next set of accounts.

DH and JP also highlighted the Unrestricted Funds recorded within the accounts was incorrect too as it contained Restricted Funds (i.e. the Big Community Fund Grant). DH also highlighted the accounts should include the value of the buildings as they would have a realisable value if the trust were ever wound up.

RM agreed with the approach and that we should submit the accounts unaltered with a more detailed note which highlights those errors already contained within the note and those raised by those around the table, being very specific that we will correct these within the next set of accounts.

PJ asked what the consequence of posting incorrect accounts has on the current trustees even if we didn't produce them. No one was able to confirm what this position would be and what liability the current trustees would have in respect of the errors made by the former trustees.

It was agreed, after much discussion, the incorrect set of accounts produced by the former trustees would not be resubmitted to the Charity Commission. Instead it was agreed the approach should be to produce a new simplified Profit & Loss and Balance Sheet correcting the errors. These documents will then be shared with the accountants for review and presented to the trustees for sign off at the next meeting.

**ACTION: KF**

Given the time, it was agreed to defer the Bar Report to the next meeting, along with a discussion on the leases and licences. SS will share the work the subgroup has completed on looking at these documents in advance though, so everyone has the opportunity to review these in detail.

**ACTION: SS**



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Bowls Club have submitted a planning application to make modifications to their existing building and to complete an extension. Under the terms of their lease, and as the building is owned by the Dolphins Hall, it was noted the Bowls Club will need to make a written request for the trustee's consent for the work to take place.

### **7. HOUSE REPORT**

PB briefly noted that electricians were shortly due to review the wiring for heaters and to also replace some of our existing tube light.

She had also been doing some calculations to assess the profitability of hiring out the hall when accounting for the expenditure it costs. These calculations appear to indicate our current price structure is fit for purpose.

### **8. GROUNDS REPORT**

PJ circulated a report prior to the meeting and the main point of note is around the playground and the general state of this. He is suggesting we make an appeal to parents to come and assist with general maintenance.

To support this initiative PJ will share wording with SS which he will then include within his next Advertiser article, and also send out to all local schools and nurseries to try and generate some interest and support.

**ACTION: PJ/SS**

SS also confirmed we had been approached by a local resident who is having a second house built on their land to run as a commercial holiday let. This second property is being built on the edge of the plot backing onto the Recreation Ground and given the size of the plot will require scaffolding erecting on our land. There has also been a request for the building contractors to use Dolphins Hall parking during the week.

In return for allowing the scaffolding to be erected within our grounds, the resident has offered a donation of £1,000 to the charity, along with agreeing to write a letter of liability to accept any responsibility in relation to the activity. He will also sort out the wall which is near by too. The scaffolding will be in situ for a period of four to five months.

PB has proposed we agree to this and this was seconded by KF. All others were in favour apart from Mark Schumm (MS) who voted against and PJ and JP who abstained.

The agreement was granted on the basis that prior to any scaffolding being erected the letter of liability has to be signed and reviewed by Alex Ball, the donation received and an agreement from the resident to identify the trust against any potential claims in respect of the activity. It was also noted the agreement would require the resident to make good any damage to our grounds caused by either the erection or disposal of the scaffolding.

MS updated the group on scaffolding health and safety requirements and in particular highlighted the scaffolding company should be returning to the site weekly to check the scaffolding tag.

**ACTION: PB**

SS also noted the ownership of the plot of land currently designated to be converted to burial ground is still to be confirmed and we are awaiting clarification from the Charity Committee.



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**9. CORRESPONDENCE**

No correspondence was noted which hadn't previously been covered in another section of the meeting.

**10. DATE OF NEXT MEETING**

This was agreed as Tuesday 22<sup>nd</sup> October 2019 at 7.30PM.

**11. AOB**

Martin Lea (ML) requested a party bring their own alcohol to the premises. SS confirmed this will be added to the agenda for the next meeting so we can assess our licencing obligations and also our former policy of not allowing this.

**ACTION: SS**

Rob McCorkell (RM) has suggested the Dolphins Hall send a letter to TTC to be considered a strategy grant partner with TTC. SS will pick this up with PJ.

**ACTION: SS/PJ**

RM also highlighted all District Councillors have £2,500 for community organisations deadline of 14<sup>th</sup> October 2019 which some of the activity discussed this evening could be applied to support.

He has also spoken to Colin Houghton who was originally responsible for raising the funds to implement the playground on the Dolphins Hall to see whether he still has an existing support network which could be tapped into to support with the ongoing issues and maintenance requirements of the area. RM will pass Colin's contact details onto PJ.

**ACTION: RM**

There being no other business, the meeting closed at 9:40PM.



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**12. OUTSTANDING ACTIONS**

DATE	NUMBER	ACTION	OWNER	TARGET DATE
24/09/2019	001	Investigate S106 agreements further through contacting CDC (Andrew Moody) and developers.	JP	22/10/2019
24/09/2019	002	Provide a breakdown of funds spent from the development account to JP.	KF	30/09/2019
24/09/2019	003	Coordinate the preparation of a new Profit & Loss and Balance Sheet for the financial year 2017/18.	KF	22/10/2019
24/09/2019	004	Share output from leases and licencing review.	SS	08/10/2019
24/09/2019	005	Prepare content on playground maintenance group and distribute in Advertiser and around local schools.	PJ/SS	01/10/2019
24/09/2019	006			
24/09/2019	007	Liaise with resident to ensure requirements of agreement are in place prior to scaffolding being erected.	PB	ASAP
24/09/2019	008	Add 'Own Alcohol Policy' to next meeting agenda.	SS	22/10/2019
24/09/2019	009	Send a letter to TTC asking to be considered as a strategic grants partner.	PJ/SS	01/10/2019
24/09/2019	010	Pass on Colin Houghton's contact details to PJ.	RM	01/10/2019