



# **DOLPHINS HALL MANAGEMENT COMMITTEE**

**New Church Street, Tetbury, GL8 8DS**

**Charity Number: 274956**



## **DOLPHINS HALL MONTHLY TRUSTEES MEETING**

**TUESDAY 17<sup>th</sup> MARCH 2020**

**THE DOLPHINS HALL, TETBURY**

<b>Present</b>	<b>Apologies</b>
Steve Scott (Chair – Resident)	Alex Ball (Resident)
Jamie Ponting (Resident)	Kevin Farnham (Film Society)
Sue Brown (Resident)	David Hobson (Tetbury Dramatic Society)
Patricia Burrell (WI)	Richard Witchell (Tetbury Upton Town Council)
Darby Law (Feofees)	Jon Easterbrook (Resident)
Jo Tancock (Tetbury Youth Club)	
Mark Schumm (Tetbury Cricket Club)	<b>Absent</b>
Paul Jones (Resident)	Rob Hatto (Bowls Club)

### **1. CHAIRPERSON'S OPENING COMMENTS**

The Chair, Steve Scott (SS) convened the meeting at 7.15PM. Quorum required is 5, 8 trustees present so meeting is quorate.

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

Paul Jones (PJ) proposed the approval of the minutes from the meeting on 18<sup>th</sup> February 2020 and this was seconded by Mark Schumm (MS). All others were in favour, apart from Darby Law (DL), Jo Tancock (JT) and Sue Brown (SB) who abstained due to not being present at said meeting.

### **3. MATTERS ARISING**

The below table notes the updates on matters arising from the previous minutes:

<b>DATE</b>	<b>NO.</b>	<b>ACTION</b>	<b>OWNER</b>	<b>UPDATE</b>
24/09/2019	005	Prepare content on playground maintenance group and distribute in Advertiser and around local schools.	PJ/SS	Carried forward.
23/10/2019	013	Put together a set of costs for The Recreation Ground (both ongoing and initial work worked).	PJ	Completed as part of grant maintenance applications.
23/10/2019	014	Put together a high level plan of how to proceed which can be debated by the trustees at the next meeting.	AB/PJ	Completed – item to be added to future agenda to discuss licences cost.
23/10/2019	020	Discuss agreement with the Youth Club for hiring the Dolphins Hall.	JP	Ongoing – discussions continue with the Youth Club.
19/11/2019	027	SS to agree a proposed SLA with TTC to be voted on at the next meeting.	SS	Ongoing - Meeting with Town Clerk prior to the next council meeting.
19/11/2019	031	AB to arrange inaugural fundraising	AB	Carried forward.



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		committee meeting.		
22/01/2020	036	KF to reclaim damages of c£800 in relation to the December event which caused damage.	KF	Ongoing – email conversations with individual's parents remain ongoing.
22/01/2020	038	KF to review outstanding payments in relation to one-off and regular bookings, leases and licences.	KF	Carried forward.
22/01/2020	040	PJ to progress with tree maintenance ASAP post review of the quotes.	PJ	Completed – trees have now been removed.
22/01/2020	042	PJ to progress grant applications for pitch maintenance and machinery.	PJ	Completed – applications have been submitted and awaiting a response.
22/01/2020	043	DH & RH to meet to discuss potential lease options for the Bowls Club.	DH/RH	Carried forward – RH has chased to say DH has not responded to his approaches.
18/02/2020	044	JP to set up an initial meeting with Russell Moore to obtain VAT advice.	JP	Completed – meeting held and written report received providing initial advice.
18/02/2020	045	JP to inform the Town Clerk to invest S106 funds into a Three Month Fixed Rate deposit account.	JP	Completed.
18/02/2020	046	SS to request the Mayor ensure the Land Registry entry is updated to include the relevant caveat wording in respect of the land being held by TTC as custodian trustees.	SS	Completed.
18/02/2020	047	KF to provide SS & JP with a copy of the relevant wording which needs to be added to the Land Registry entrée.	KF	Completed.
18/02/2020	048	SS to write to Charity Commission to request for a prioritisation of the review of the report on Plot 8.	SS	Completed.
18/02/2020	049	PB to research potential legal representations with charity experience.	PB	Completed.
18/02/2020	050	SS & KF to meet to discuss how invoicing can be integrated into the booking process.	SS/KF	Ongoing – KF being brought up to speed with accounting system.
18/02/2020	051	SS to update Darby on decision regarding community booking special offer and advertise in his monthly column in Tetbury Advertiser.	SS	Completed.
18/02/2020	052	SS to investigate the disappearance of the MUGA.	SS	Ongoing – investigations have yet to yield a result.
18/02/2020	053	JP to share draft letter on Redevelopment Letter planned to be sent to HRH.	JP	Completed – edits made and letter signed ready to be posted.



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#### **4. NEW FOOTBALL CLUB & CRICKET CLUB LEASES**

Meetings have been taking place between the Football Club and Cricket Club who have agreed to enter into separate leases for their periods of time. The Football Club will hold a lease running from 1<sup>st</sup> September – 30<sup>th</sup> April and the Cricket Club will hold a lease running from 1<sup>st</sup> May to 31<sup>st</sup> August.

All bills will go via the Dolphins Hall who will then invoice the clubs for these (e.g. Council Tax and utilities) and inspections will be carried out at the beginning and end of each licence by the Dolphins Hall in the presence of both other parties.

Alex Ball (AB) has been asked to draw up the two leases for review and agreement by trustees prior to presentation to the clubs.

**ACTION: AB**

#### **5. REVIEW OF VAT ADVICE**

Jamie Ponting (JP) updated the group on the meeting held regarding VAT advice with Russell Moore which was also attended by fellow Project Committee members SS and PJ. The subsequent report had been circulated as part of the agenda papers.

On the back of this advice, SS considers it would be beneficial for the Dolphins Hall to become VAT registered and he laid out the rationale for this. SS took an action away to compile a report of figures which supported his stated position. These will then be reviewed and next steps discussed at the April meeting.

**ACTION: SS**

#### **6. NEW BUILD PLANNING APPLICATION**

JP had provided a number of documents as part of the agenda pack and requested any feedback from those present. Observations included:

- PB was not a fan of the design of the Community Hall, feeling it looked like a shed and needs more breaking up.
- Everyone agreed the colours of the Youth & Sports Complex looked good;
- The proposed housing plots seemed to be set back further than was ideal to be in keeping with the street scene;
- The existing Right of Way for Mr Peacock needs to be covered within the Planning Application.

JP will provide the feedback to Archio.

**ACTION: JP**

JP confirmed that Archio were working towards a submission deadline of the end of March and were on course to achieve this. He also confirmed in the interim there were numerous documents to review, which he would be sharing over the next couple of weeks and would request that everyone takes the time to review these.



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**ACTION: JP**

It was also agreed subject to all documents being shared in advance of the application and trustees having the opportunity to comment, the final planning application submission did not need to come back to a full trustee meeting for approval prior to submission.

### **7. PLOT 8 UPDATE**

SS gave an overview of the letter sent by the Charity Commission to Tetbury Town Council in respect of Plot 8, the Council's letter to the trust and SS's subsequent response.

He noted it was disappointing that TTC have as yet not acknowledged the Charity Commission's response that Plot 8 was the property of the Dolphin's Hall and was only held by TTC in the role as Custodial Trustee and not as part of their own commercial property.

In light of this, SS has confirmed to TTC that the trust will not discuss the subject further with TTC until they acknowledge the Charity Commission's judgement and take the action required as instructed.

SS has also informed TTC of the three stage process required to dispose of the land: firstly trustees need to agree the disposal of the land would be appropriate in line with our charitable aims, the Charity Commission would then need to approve the proposal was in line with our charitable aims and finally the people of Tetbury would have the final vote on whether the land should be disposed of.

It was also noted, as the land was used for sporting purposes, Sport England would also need to agree to any other use of the ground. It was requested that JP discuss this with Sport England to understand the process which would need to be followed.

**ACTION: JP**

PB as part of her action from the previous meeting has been researching potential legal representatives. While originally the thought was a firm with charity experience was required, it was actually agreed at this point in time, a firm with experience of land disputes would be best placed to support our requirements.

As a result, it was proposed the trust engage XXXX to complete the conveyancing work required to register the Recreation Ground and Plot 8 correctly at a cost of £1,000 + VAT.

It was also noted the Charity Commission's letter to TTC stated they were responsible for correcting the mistakes in respect of the land registry and therefore trustees felt any costs should be looked to be reclaimed from TTC.

SS also noted at no point had any trustee formerly confirmed their individual position on whether Plot 8 should be used as burial ground or not. He acknowledged as we are not progressing to a solution on the ownership of Plot 8, individuals should begin to consider – in line with their responsibilities as a trustee – what their position would be as it will need to be discussed in a future meeting.

### **8. PURCHASE OF NEW PLAYGROUND EQUIPMENT**



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Tetbury Lions had previously provided funding towards the maintenance of the Recreation Ground, however were now looking for these funds to be spent towards a new piece of equipment in the playground.

PB presented various options for new equipment to replace 'tired' equipment, with DL confirming some existing issues. Given we have a pending inspection of the playground due in April, it was decided to await the outcome of that report before identifying what equipment was required.

### **9. REC UPDATE**

PJ confirmed the tree work agreed at the previous meeting had now been completed. He has also submitted all grant applications as previously discussed.

The first of these grants has been successful and will result in a grant over a period of five years of £29,000. SS placed on record his thanks for the work PJ was doing in this area.

PJ is now also looking at grants for potential moveable goal posts and improvements to the floodlights near the MUGA.

PJ also raised some concerns with the Rugby Club's use of the Recreation Ground as they had recently used the Football Club pitches on the same day the Football Club had called off matches using the facilities due to the unplayable conditions of the facilities. They have also started training not on their designated pitches which has caused areas where public generally walk to become exceedingly muddy.

It was agreed the Rugby Club needed to be reminded of their responsibility to maintain their pitches and put right the damage they have caused. Until this time, they will not be permitted to conduct any other additional activities on the facilities. This means they won't be able to erect a marquee as requested for a wedding unless the maintenance work is completed prior to this.

SS offered to issue a letter as Chair, however PJ said he was hopeful of coming to a more amicable resolution in the first instance.

**ACTION: PJ**

### **10. BOOKING REVIEW UPDATE**

More expensive version of the booking system has been acquired to allow additional questions to be asked when individuals are looking to book the facility, including agreeing to the T&Cs and providing credit card details to enable any damages to subsequently be charged without needing the individuals prior consent. The cost of this is an additional £25 per month.

Key boxes have been purchased and DL will issue a code to all users at the start of each week.

SS also queried whether the Community Hall should be shut in light of the Covid19 outbreak and DL confirmed she was receiving a number of queries from individuals with existing and prospective bookings.

It was agreed, as we don't run events ourselves, the decision on whether to continue with events was at the discretion of the event operators or individual hirers. The Hall will therefore remain open and SS will issue a statement on the website to this effect.



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**ACTION: SS**

### **11. DATES FOR AGM**

The Charity Commission have confirmed in light of the Covid19 outbreak and government guidance around social gatherings, the trust can delay our AGM.

Trustees agreed this would be advisable and therefore no date was set for the AGM and this will be reviewed at each future meeting to assess when holding such a public meeting would be appropriate.

SS will issue a statement via the website to confirm our current position, but to also confirm we will issue a Chair's Statement and our accounts in April for full transparency as would usually be presented at the AGM.

**ACTION: SS**

### **12. CORRESPONDENCE**

No correspondence has been received which had not previously been discussed under another agenda item.

### **13. DATE OF NEXT MEETING**

The next meeting date was agreed as Tuesday 21<sup>st</sup> April 2020, although it was agreed a watching brief on Covid19 developments would be kept and a decision whether to hold the meeting taken closer to the time.

SS did though note the use of Slack as a potential avenue for meeting and collaborating. The application is free given the trust's status as a charity and the Charity Commission have also confirmed decisions, meetings and votes can be made electronically, despite our constitution, given the challenges presented by Covid19.

### **14. AOB**

One item was noted under any of other business:

- SS requested trustees to consider whether anyone would be willing to take on responsibility for writing the monthly column in the Advertiser on behalf of the Dolphin's Hall.

There being no other business, the meeting closed at 8.57PM.



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## **15. OUTSTANDING ACTIONS**

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24/09/2019	005	Prepare content on playground maintenance group and distribute in Advertiser and around local schools.	PJ/SS	01/10/2019
23/10/2019	020	Discuss agreement with the Youth Club for hiring the Dolphins Hall.	JP	19/11/2019
19/11/2019	027	SS to agree a proposed SLA with TTC to be voted on at the next meeting.	SS	22/01/2020
19/11/2019	031	AB to arrange inaugural fundraising committee meeting.	AB	22/01/2020
22/01/2020	036	KF to reclaim damages of c£800 in relation to the December event which caused damage.	KF	18/02/2020
22/01/2020	038	KF to review outstanding payments in relation to one-off and regular bookings, leases and licences.	KF	31/03/2020
22/01/2020	043	DH & RH to meet to discuss potential lease options for the Bowls Club.	DH/RH	18/02/2020
18/02/2020	050	SS & KF to meet to discuss how invoicing can be integrated into the booking process.	SS/KF	17/03/2020
18/02/2020	052	SS to investigate the disappearance of the MUGA.	SS	17/03/2020
17/03/2020	054	AB to draw up leases for rent of the Sports Facility	AB	31/03/2020
17/03/2020	055	SS to compile report on what the VAT position would have been over the previous five years.	SS	21/04/2020
17/03/2020	056	JP to provide feedback on Planning Designs to Archio.	JP	19/03/2020
17/03/2020	057	JP to share 17 further documents for review and comments in relation to the Planning Application on Slack for trustees to review and comment on.	JP	19/03/2020
17/03/2020	058	JP to contact Sport England to understand their requirements for any disposal of Plot 8.	JP	21/04/2020
17/03/2020	059	PJ to discuss required maintenance works which need to be completed across the Recreation Ground by the Rugby Club.	PJ	21/04/2020
17/03/2020	060	SS to put noticed on the website regarding our current stance on Covid19.	SS	19/03/2020
17/03/2020	061	SS to issue statement in respect of delay of AGM in light of Covid19.	SS	31/03/2020