

# CODDENHAM PARISH COUNCIL

## Agenda Paper



Thursday 18<sup>th</sup> April 2019

### Report to Council

Item 7. To **RECEIVE** the Clerks Report

#### Minutes of March 21<sup>st</sup>

The Clerk has been asked by individual councillors to amend the draft minutes of the 21<sup>st</sup> March to include a full report of the contribution made by Mr MacPherson under item 3, Comments from Parishioners on Current Agenda Items. The Clerk has discussed the matter with Mr MacPherson, explaining the purpose of item 3 and the fact that the minutes of meeting are not a verbatim account of all contributions. In recognition of the need to ensure that the public have access to Mr MacPherson's contribution, The Clerk agreed to recommend to Council that a list of points raised by him and provided to the Clerk subsequent to the meeting, be appended to the minutes. For information, the list of the points provided are:

1. Comments are in relation to my progress paper, item 10 on the agenda, with reference to items 7 & 8.
2. I am indebted to fellow Trustees and Council members for their support with what has been thus far, positive progress. We have struggled with the accounts where its clear we don't have the benefit of historical facts and legacy decisions. I recommend for public accessibility and complete transparency, notes be offered with future reports.
3. We have throughout tested our mandate and instructions. The Working Group have consistently provided us an assurance of a cross reference and deferment to the Parish Council.
4. We were therefore disappointed to read the Clerks Report under item 8, which inaccurately questioned the current (joint) approach.
5. We have a clear direction to proceed. The transfer of the hall and facilities cannot take place until the charity is established. The transaction will require legal advice for all parties.
6. Commitment to obtaining legal advice was made on the 24th January, the 17th February and at the Hall Management meeting of the 13th March, where the appointment of Birketts was to be put forward for approval this evening. It failed to appear on the agenda despite representations.
7. The requirements for the PC to establish a charity were established over 13 years ago. In 2012 I understand Birketts reminded the PC of the need to move forward with an application without delay. This imperative has driven us to now proceed.
8. While questions and challenge for debate are welcome, erroneous public statements formally or informally, undermine confidence and are not helpful.
9. I hope any misrepresentation can be corrected and commitment by the PC to the process of achieving charitable status for Coddenham Village, be re-enforced this evening.'

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The Clerk also suggested that the prospective Trustees might benefit from having a page on the Council's website dedicated to keeping everyone informed of progress. Members may wish to comment on the provision of this facility.

## **Appointment of Legal Counsel on the transfer of Assets to a Charitable Trust.**

The Clerk and the Chairman met with Ms L Brownsell of Birketts on Tuesday 9<sup>th</sup> April to set out the Council's instructions regarding the transfer of the Community Centre to a Charitable Trust. The Chairman provided a detailed history of the Council's ownership of the Community Hall and associated assets and explained the need to comply with the Charity Commission's requirements that the Community Hall be transferred to a charitable trust. The Clerk explained that Council were exercising due diligence in consideration of its responsibilities in the transfer of the asset and asked that Ms Brownsell report on the options available to Council, with any legal and/or financial implications on each option. The Clerk presented Ms Brownsell with two questions from the Working Group, regarding the Council's power to transfer the asset to a charity, and whether there were any encumbrances on the transfer of the Recreation Ground. He also provided copies of all relevant Council minutes for reference. Birketts' Terms of Acceptance, Terms of Business and Matters Detail Schedule are available for inspection.

## **Tree Inspections.**

The Contractors have removed the three trees from the recreation ground and a number of parishioners benefited from the logs which they had cut into manageable sizes.

Mr Allen is preparing the draft Tree Risk Assessment Policy for Council's consideration, following which he will arrange an inspection of the trees around the village.

Mr Allen has also kindly agreed to supply a load of seasoned bark mulch to the Community Centre car park for distribution around the flower beds.

## **Open Gardens 2019 / Allotments**

Cllr Hardy has kindly completed a Risk Assessment for the Allotments, as part of the preparations for the Open Gardens event in June. Please find the assessment document attached at 7a).

## **The Club**

Mr Turner, Chair of The Club, has written to the Clerk to arrange the disposal of the Club's equipment currently stored in the dry changing area. His email reads:

As you know the The Club has finally closed the doors for the last time.

The Club has been running out of Coddenham for many years but it has seen a decline in numbers for some time now and the decision was made that we just couldn't keep going.

Over the years we have accumulated various items for the children to enjoy and play with that we now need to find a home for. As you know we are not a registered charity and the majority of the equipment has been purchased through subs each week. I have decided to donate a large portion of the equipment to a charity called Scottie's Little Soldiers which offer respite and holidays to families with young children who have lost a parent whilst serving their country. I would however like to offer the community centre

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as a gift, some of the equipment so the children of Coddenham and patrons that use the hall the option of using the equipment left. The actual details of this will follow. I will be looking to vacate the storage area that we have been using over the next 3 weeks.

I would like to thank you all for your continued support over the years.  
Phill Turner.

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Peter Whitehouse  
Parish Clerk