



EFFINGHAM VILLAGE RECREATION TRUST

Minutes of the Annual General Meeting for EVRT

In the Village Room of the KGV Hall, Effingham
Tuesday 13 September 2022 at 19:30

Present: *Members of the Trustee:*
Ian Symes (Chairman), Arnold Pindar (Vice-Chairman),
Jon Short (Clerk to Effingham Parish Council, the Trustee),
Cliff Hackett (CH), Liz Hogger (LH), Paula Moss (PM), Jeremy Palmer (JP),
Charles Thorne (CT)
EVRT Staff: Phillipa Chisnell, KGV Manager
Member of the Executive Board: Christopher Hogger (CJH)
Public: Susan Morris (SM), former Managing Trustee

*The meeting formally began at 19:33. CJH took the Minutes.
The Chairman invited all those present firstly to stand for one minute's silence in memory of the late Her Majesty Queen Elizabeth II and then to sing the National Anthem.*

Chairman's Welcome

The Chairman welcomed all to the AGM.

Introductions to Trustees and Staff

It was agreed that no formal introductions were required as all present knew one another.

Apologies for Absence and Declarations of Interest

An apology for absence had been received from Jerome Muscat. (Subsequently an apology for absence was received also from Bronwen Roscoe.)

No Declarations of Interest were made.

Minutes of the previous AGM for the 2020-21 financial year

The Chairman asked if these Minutes could be agreed and, receiving no corrections, duly signed them as a correct record.

Chairman's Report

The Chairman presented the Report of the Trustee for the financial year 2021-22. He named and thanked all seven of the former Trustees who had served at various times during the year concerned, and then read out the Review of Activities in the Report.

He confirmed that Effingham Parish Council (EPC) had become sole Trustee of EVRT on 1 July 2022, a change which has brought the benefit of removing personal liabilities from individual volunteers managing the Hall and Playing Fields; this should make it easier for volunteers now to come forward to join the Executive Board.

He then invited questions. None arising, he invited Charles Thorne to deliver the Treasurer's Report.



EFFINGHAM VILLAGE RECREATION TRUST

Treasurer's Report

CT expressed thanks to the KGV Manager for her work on the Charity's accounts and for conveying data to the accountants Tudor John for their independent examination. The accountants had signed the accounts with no matters of concern raised. The year had seen a net movement (surplus) of £1585, compared to a small deficit in the previous year 2020-21. Income had increased noticeably as the Charity had emerged from Covid lockdowns – it had been a busier year - whilst there had been a modest rise in expenditure. Essentially the Charity operated in a break-even fashion.

He drew attention to the significant amount of funding from EPC which in effect was paying for the residents' use of the facilities. Turning to the Balance Sheet, he noted that the fixed assets had reduced even though cash had risen, although offset by depreciation. The latter amount was about £46k whilst capital additions had amounted to only about £2.4k. In the Notes on the later pages he observed the substantial increases in income from hires of the Hall and the grounds, compared to the previous year. He then invited questions.

Q: (from CH) – why have the legal fees risen from last year's figure?

CJH: there have been fees arising from work on governance conversion, and other professional fees are included also in that figure.

Opportunity for Questions

The Chairman invited further questions.

Q: (from SM) – what were the arrangements for notifying villagers of this AGM?

CJH: the meeting had been advertised on the Village noticeboard, the KGV Hall noticeboard and the KGV website, and notified to the Licencees and regular user groups; attempts to advertise it on the EFFRA website had been unsuccessful.

CT: formal meetings are unlikely to attract people, AGMs are naturally difficult.

Comment: (from SM) – it had not been advertised on the front entrance's noticeboard.

(The hedge had grown so densely that this had not been possible and the Facilities Officer had not been available to resolve the problem.)

Comment: (from SM) – had been a Trustee in post for much of the financial year concerned, but had not been notified individually of this AGM. It would have been courteous to have been so notified; there is a need to engage with people.

LH: agreed there was a need to engage, but the Trustee had concentrated its energies on getting the Executive Board operational. A recent Trustee meeting had indeed discussed expanding the Board and broadening involvement in the Trust.

Chairman: the Council's half-year report was about to be distributed to all households and it invited people to become involved in the Trust.

Comment: (from SM) – however, in the past direct personal approaches have been the main way of achieving this.

CH: the Roundabout Magazine had not yet received a contribution from EVRT.

PM: it was not certain there much to report at the moment, but something could be produced for the Magazine if there was still time for it to be included.

Q: (from SM) – is it the case that there is a Chairman of the sole Trustee and a Chairman of the Executive Board? Who are the members of the Board?



EFFINGHAM VILLAGE RECREATION TRUST

CJH: the Executive Board has only recently been re-appointed and has yet to choose its new Chairman; its members are Jerome Muscat, Arnold Pindar, Paula Moss, Bronwen Roscoe and me.

Comment: (from SM) – so the majority of those on the Executive Board are parish councillors, so my question is: the contracts for EPC's funding of EVRT will soon come to an end and will need to be renegotiated – what will be the choreography of the councillors on the Board putting their bid to EPC, of which they form half the members? How can they negotiate best value with themselves?

Chairman: it's the conflict of interest issue again, but we have taken legal advice and we do have our Clerk here who can keep this issue in view.

LH: we looked into this very carefully when we considered the practical arrangements. We followed the Charity Commission guidance about the separation of EPC as Trustee and as a local authority, and we took legal advice. A conflict of interest does not arise between EPC and the Trustee because the Board will recommend a bid to the Trustee and the Trustee will consider whether it is in the best interests of the Trust. The Trustee will then convey their bid to EPC which when sitting as the local authority will consider whether it is in the best interests of the council tax payers and what it wishes to provide for residents, just as for allotments etc. If done in this way there is no conflict of interest between the two roles, and that was the legal advice we had. The Charity Commission makes it clear that it is one of the advantages of a parish council as a Trustee. It is perfectly legitimate for EPC to provide grants and funding agreements to the Charity, which is all covered by Charity Commission guidance. This is especially advantageous when the Charity is providing recreational facilities and village halls, which is the potential function of a parish council to provide; EPC is entitled to spend residents' money on such things under the Local Government Act.

Comment: (from SM) – but I do not see how you negotiate contracts with yourselves; it will need to be choreographed very carefully. As councillors you will know information that should be privileged for the Charity and that could enter the public domain.

CJH: You can find information all over the internet explaining how sole Trusteeship deals with this, likewise in ACRE's advice and in the Charity Commission's guidance.

Vice-Chairman: yes, it has to be managed carefully; hopefully it will become easier to manage as we grow the Executive Board, bringing in new people.

PM: it will be an objective case put to EPC and we foresee no particular difficulty if we follow the appropriate processes.

Q: (from JP) – returning to the finances – under expenditure, the insurance has remained unchanged whilst security has reduced; is there a knock-on effect here, will insurance subsequently reduce?

CT: the insurance is on a three-year term and depends much more upon claim history and many other factors.

Q: (from JP) – will ash die-back affect the insurance?

CT: No.

Any Other Business

Chairman: I don't think an agenda should offer 'any other business'!

SM: I propose a vote of thanks to you for the work you are doing. It's an important part of village life but is invisible.

Chairman: thank you and I repeat my earlier thanks to the previous Trustees; I also thank Phillipa for all her good work. I now declare the meeting closed.

The meeting formally closed at 20:22.