

NEWENT RECREATION GROUND TRUST

(Charity Number 301585)

Minutes of the Newent Recreation Ground Trust meeting on:

Tuesday 24th January 2023

Meeting Start 1.30pm

Held at **Newent Town Council Offices, Rear annexe, Newent Community Centre, Ross Road, Newent, GL18 1BD**

Present: Mrs K Draper (Chairman), Mrs J Gooch, Ms C Stone, Mrs C Howley, Mrs M Duffield, Mr R Beard, Gill Moseley, Mrs R Wadley and Mrs S Marcovecchio

Also Present: The Secretary

.....
1. To elect a Chairman for the meeting

Mrs K Draper was unanimously elected to Chair the meeting.

2. To accept apologies for absence

Apologies were accepted for Mrs W Odhiambo, Mr E Wood, Mr D Tinson, and Mrs K Selwyn.

3. Declarations of Interest on items on the agenda

Mrs J Gooch declared a business interest.

4. To approve Minutes of the meeting held on Wednesday 14th December 2022

Change Page 40, 7.2 Should read: "This was not discussed, due to 7.1 not proceeding".

Subject to the change, the Trustees by a majority decision agreed that the Minutes were a true and accurate summary of the meeting and were duly signed by the Chairman.

5. To agree to the request from Newent Town Council from their Regeneration Committee meeting held on Monday 9th January 2023 to undertake the new build of the recreation pavilion, with a timescale so that completion of the build can be targeted for mid-year 2023.

Mr R Beard asked for a Named Recorded Vote on this item.

Proposal: Mr R Beard

Seconded: Mrs R Wadley

The Secretary advised the Trustees that the discussions around the pavilion build have been progressing.

Information from the Town Clerk identifies that various parties from the community have come forward and offered financial support and assistance to the project.

Further funds have been identified through Section 106 and from the Town Council.

The build contract has yet to be issued, but prior to that agreement it is appropriate to seek legal advice before any financial commitment is undertaken by the Trust.

The Recreation Trust does not have sufficient funds to retain a solicitor, therefore the council can undertake this on their behalf, as part of the support process.

This would ensure that dual advice is provided and can be shared across the Recreation Ground Trust and the council.

Funds for the solicitors can be reimbursed through Section 106, as occurred with Tetlow King, who re-submitted the planning application on behalf of the council, with their invoice being reimbursed through FoDDC.

The solicitors fees are unknown at this time, but it is dependent on ensuring that the Trust and council are not open to future liabilities and demonstrates financial probity and decision making.

This is especially important if the decisions being taken conflict with charitable or legal requirements.

By the council retaining their solicitors, Davies and Partners Solicitors, they will assist to ensure that the Trust and council have considered all options and have made decisions based on the legal information provided.

It is best practise to retain legal advice.

The Secretary strongly advised the Trustees to use the council's resources, as above, to have legal advice to ensure that the decisions taken by the Trust and council are legal and within the remit of the charity and council respectively.

Discussions occurred regarding the Secretary's comments.

A Trustee commented that a Joint Contract Tribunal standards industry contract is to be issued, and the council did not seek legal advice when issuing contracts regarding the Market House refurbishment.

The Trustees had already received information from The Parkinson Partnership regarding VAT and legal advice would delay the build process further.

Another Trustee commented that the council could claim VAT or the Trust could claim VAT, if issued with an Exemption Certificate.

Another Trustee commented that there are elections in May 2023 and that by seeking legal advice it would be a process to ensure decisions are legal and correct, and therefore supporting future Trustees.

Against the Secretary's advice, the Trustees declined to seek legal advice regarding the Recreation Pavilion build.

In Favour: Mrs K Draper, Ms C Stone, Mrs C Howley, Mrs M Duffield, Mr R Beard, Gill Moseley, Mrs R Wadley and Mrs S Marcovecchio

Mrs J Gooch did not vote, due to a Declaration of Interest.

The Trust by a unanimous decision agree to the request from Newent Town Council from their Regeneration Committee meeting held on Monday 9th January 2023 to undertake the new build of the recreation pavilion, with a timescale so that completion of the build can be targeted for mid-year 2023.

6. Any other urgent business.

Discussion occurred about different heating systems, including Air Source Pumps and their effective use within buildings.

Solar panels were identified as a possible investment for the pavilion building and learning from the Aurora Project, which is occurring in Lydney, may be useful.

Trustees identified that a few of them are to undertake further investigation into heating, solar panels and the building project.

The Chairman closed the meeting at 2.16pm