



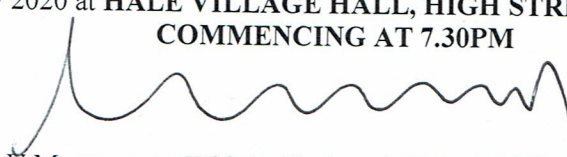
HALE PARISH COUNCIL

of the Halton Borough in the County of
Cheshire



NEXT MEETING

Members of the Council are summoned to the **PARISH COUNCIL MEETING** to be held on
Thursday the 27th February 2020 at **HALE VILLAGE HALL, HIGH STREET, HALE VILLAGE, L24 4AE**
COMMENCING AT 7.30PM


W V Mcennerney-Whittle Clerk and RFO – 20th February 2020

Note to Councillors:

If you are unable to attend the meeting, please notify the clerk of your apologies either by e-mail
clerk@haleparishcouncil.gov.uk or telephone 01772 733829

Note to Public:

Members of the public wishing to address the Council should note that they must advise the clerk before 10am on the day of the meeting both of their wish to participate in the public forum and their topic. If residents fail to inform the clerk prior to the meeting, permission to speak at the meeting will be at the discretion of the Council. All participants are restricted to a maximum of three minutes. If the public wish to ask the Council questions, please note that the Council may not be able to answer the question if the council has not considered or resolved the question on an agenda item at a prior meeting. Should this be the case, the Council will advise correspondence with the clerk to request the item be discussed at a future parish council meeting. If the question is considered outside the remit of Hale Parish Council, residents will be referred to Halton Borough Council.

MEETING AGENDA

1. To receive Apologies
2. To consider and approve the Minutes of the meetings held on the 23rd January 2020 and 4th February 2020
3. To receive Declarations of Interest
4. To receive and note (if available) the police report on crime statistics

Please also note that the report whether in writing or given verbally is FOR INFORMATION ONLY and no decisions can be made in respect of any of its content.

5. To receive an update with regard to the Village Hall.

Please note that the report whether in writing or given verbally is FOR INFORMATION ONLY and no decisions can be made in respect of any of its content.

6. To adjourn the meeting for a period of public participation

Please note that the Council may not make any lawful decision during this session – any items raised by members of the public may be considered for a future agenda. Members of the public are defined as any persons present other than parish council members or officials. This session will be conducted by the Clerk as it is not part of the official Council meeting.

7. To receive and ratify the list of payments (enclosed) made between 1st January 2020 and 31st January 2020 recorded in the Cash Book Record which has been reconciled to the Bank Statements to that date all payments having been made under Financial Regulation 6.4 as detailed below:

24/01/2020	GOOGLE MONTHLY SUBSCRIPTION	ONLINE	115	37.26
29/01/2020	WV MCENNERNEY WHITTLE SAL AND EXPENSES	ONLINE	116	1026.72
29/01/2020	VIKING DIRECT STATIONERY	ONLINE	117	270.71
29/01/2020	MT SUTTON XMAS TREE SUPPLY AND ERECT	ONLINE	118	120.00
29/01/2020	HMRC TAX AND NI DEDUCTIONS	ONLINE	119	615.76
29/01/2020	SCOTT HARRIS GARDEN SERVICES	ONLINE	120	30.00

8. To approve and adopt the following policies/documentation which have already been circulated to members in advance of this meeting

- Safeguarding Children and Young People / Vulnerable Adults Policy
- Complaints Policy
- Publication Scheme
- Equality and Diversity Policy
- General External Privacy Notice
- General Internal Privacy Notice for Staff, Councillors and Role Holders
- Data Protection Policy

9. To consider and approve that John Henry should be appointed as the Internal Auditor for 2019/2020
10. To appoint a panel to consider the applications for the role of 'bookings officer' who will then undertake any required sift, undertake interviews and appoint a suitable candidate
11. To note that the next meeting is scheduled for Monday the 16th March 2020



HALE PARISH COUNCIL

of the Halton Borough in the County of
Cheshire



Minutes of the PARISH COUNCIL MEETING held on
Thursday the 23rd January 2020 at HALE VILLAGE HALL, HIGH STREET, HALE VILLAGE, L24 4AE
COMMENCING AT 7.30PM

Present: Cllrs Trevaskis, Williams, Kierman, Wright, Hunter and Mitchell

There were 13 members of the public present.

1. To receive Apologies

Cllrs Healey, Spargo, Anderson and Cleary.

2. To consider and approve the Minutes of the meetings held on the 18th November 2019, 19th December 2019 and 9th January 2020.

It was resolved that the Minutes of the meetings held on the 18th November 2019, 19th December 2019 and 9th January 2020 should be approved and that the Chairman should be authorised to sign them as a true and accurate record.

3. To receive Declarations of Interest

None

4. To receive and note (if available) the police report on crime statistics

A report had been received and was made available for members and residents present. It was mentioned that there had been 3 car break ins on Church Road, so it was probably better not to park in that vicinity.

5. To receive an update with regard to the Village Hall.

The Chairman of the VH Committee read out a short update stating that bookings were on the increase. The Clerk handed out an up to date financial statement which confirmed the above and showed income to be 33% above budget with 3 months of the financial year still to go.

It was mentioned that recent events have been well supported and thanks were expressed to Ann and the well being volunteers for putting up and taking down the Xmas decorations which provided a good display. There have been plenty of children's parties through December and January and lots of bookings already in for the New Year. Thanks, were expressed to Luke for his work managing the bookings and the two ladies from the coffee shop who helped Gary and Malcolm cleaning the hall. The boiler has been serviced recently and a health and safety inspection has been undertaken with a report due shortly. Apologies to the choir that we were late opening up for and thanks to all volunteers who have helped with functions over the last couple of months.

6. To adjourn the meeting for a period of public participation

It was mentioned that the PC consultants had done a review of H&S at the VH and that a report with any recommendations was awaited. It had already been mentioned that the wedging open of fire doors must not occur and rubber protectors may be needed on some doors. A number of risk assessments had also been done in respect of caretaker / cleaner duties. A resident suggested that it might be appropriate to install a stable type door to the kitchen – this can be looked at once the full report is available.

It was also confirmed that the VAT consultant had visited earlier in the week and his report was also awaited. Feedback so far suggests that the reclaim of Vat for building works for the new VH may well be lawful based on the fact that the PC have been acting as the sole managing Trustee of the VH for a number of years despite the documentation not being in place. The report hopefully confirming this is expected within the next couple of weeks.

Progress is being made with the documentation to establish the PC as sole Trustee of the Village Hall. A further PC resolution will be required, a new deed drawn up in line with that resolution and then the documentation will be submitted to the Charity Commission for their approval. A number of questions were asked concerning the present situation and the future arrangements. The Chairman reiterated comments which are already in the public domain in the minutes of the last meeting and the Clerk reiterated his understanding of how the future might look which are also recorded in those same minutes. It was suggested residents go online and read ACRE Information Sheet 36 which sets out the principals involved. It was also suggested that when a new VHC is formed it would be expected that any resident members would bring appropriate skills to the table which would assist in managing the VH. The Clerk also indicated that he expected that a VHC meeting would take place as soon as possible after the documentation referred to above had been completed and approved by the CC and that this would hopefully be sooner rather than later.

A resident offered to provide and install a clock in the VH – it was suggested this offer should be discussed with the existing VHC.

In response to a question concerning residents being aware of what was going on the Chairman indicated that it was hoped that a newsletter could be issued soon.

7. To receive and ratify the list of payments (enclosed) made between 31st October 2019 and 31st December 2019 recorded in the Cash Book Record which has been reconciled to the Bank Statements to that date all payments having been made under Financial Regulation 6.4

It was resolved that the list of payments detailed above should be ratified

8. To receive and approve the quarterly statement of accounts as at 31st December 2019

It was resolved that the quarterly statement of accounts as at 31st December 2019 should be approved

9. To approve a payment of £120 to Mal Sutton for the provision of the 2019 Christmas tree

It was resolved that the payment mentioned above should be approved

10. To consider whether this Council should pay for the materials to repair the Christmas Nativity Scene which has deteriorated considerably over recent years at a cost of approx £200. The repairs to be carried out by a local group of volunteers.

It was resolved that this Council should pay for the materials to repair the Christmas Nativity Scene as detailed above

11. To approve the following policies/documentation which have already been circulated to members in advance of this meeting
 - Asset Register as at 31st December 2019

- Grievance Procedure

It was resolved that the policies/documentation referred to above should be approved

12. To appoint a Hearing Panel as may be required from time to time to undertake any Disciplinary or Grievance hearings should an initial informal approach as set out in this Council's policies fail to achieve a satisfactory solution. It is suggested that five members are appointed in the first instance as a pool which will include the Chairman and Vice Chairman of the Parish Council although only three of those five would be required at any one time.

Selection from the pool will be done by the Chairman or in his absence the Vice Chairman taking into account any experience, training and/or any personal involvement of any member of the pool with the issue which has caused the Hearing Panel to be convened in the first place.

Please note that in the case of any Grievance or Disciplinary procedure the decision of the Hearing Panel might be the subject of an appeal which would then be heard by the remaining Members of the Council who had not been involved in the issue or hearing in the first instance.

It was resolved that Cllrs Williams, Cleary and Anderson should join the Chairman and Vice Chairman and be appointed to the 'pool' referred to above.

13. To note that the next meeting is scheduled for Monday the 27th February 2020

It was noted that the next meeting is scheduled for the 27th February 2020



HALE PARISH COUNCIL

of the Halton Borough in the County of
Cheshire



Minutes of the **EXTRA ORDINARY PARISH COUNCIL MEETING** held on
Tuesday the 4th February 2020 at **HALE VILLAGE HALL, HIGH STREET, HALE VILLAGE, L24 4AE**
COMMENCING AT 7.30PM

Present: Cllrs Trevaskis, Anderson, Kierman, Spargo and Wright

There were 4 members of the public present.

1. To receive Apologies

Cllrs Cleary, Hunter, Mitchell and Williams

2. To receive Declarations of Interest

None

3. To adjourn the meeting for a period of public participation

There were no representations from the public

4. To pass the following resolution to give effect to the previous resolutions made on the 9th January 2020 and establish new administrative arrangements for Hale Village Hall in accordance with s.280 of the Charities Act 2011.

Hale Village Hall (1014055)

Preliminary

The previous charity trustees resigned on September 26th, 2017, when the committee of management was also dissolved and the retiring Chairman's report, adopted by that meeting, made clear the trustees' intention that Hale Parish Council should take over management of the charity's administration. The Hale Parish Council, having been appointed Custodian Trustee of the charity by virtue of the Conveyance and Trust Deed dated 6th March 1974, therefore became de facto sole trustee (ie both Custodian Trustee and sole charity trustee).

At a meeting of Hale Parish Council held on 9th January 2020 the Parish Council took the following resolution: To ratify and resolve that Hale Parish Council took on the management of Hale Village Hall Charity as sole Trustee in 2017 in accordance with the business plan submitted to the National Lottery on which grant funding for the building of a new Village Hall was based and agreed.

Resolution

That the governing document of the Charity, namely the Conveyance and Trust Deed dated 6th March 1974 made between Roger Fleetwood Hesketh, Charles Peter Fleetwood Fleetwood-Hesketh, Edmund James Battersby and The Parish Council of Hale, be amended in the following manner:

- A) By the deletion of all the clauses of the First Schedule to the Trust Deed other than clause 1 (1) HALE VILLAGE HALL TRUSTS, which will be re-numbered as clause 1, and the second part of Clause 2, CUSTODIAN TRUSTEE, and the substitution therefor of the following:

3. CHARITY TRUSTEE

Hale Parish Council ("Council") shall be the sole charity trustee of the Charity. Decisions of the Council as sole trustee of the Charity shall be recorded in a minute book and books of account shall be provided and kept by the Council.

4. TRUST PROPERTY, ADMINISTRATION, REPAIRS AND INSURANCE

- 4.1 The expression "trust property" shall mean all real property whether freehold or leasehold owned by the Charity from time to time.
- 4.2 The Charity and the trust property must be administered by the Council as sole charity trustee. The Council is the charity trustee within the meaning of Section 177 of the Charities Act 2011. The Council must act reasonably and prudently in all matters relating to the Charity and must always pursue the interests of the Charity to the exclusion of other Council interests.
- 4.3 The Council must:
- 4.3.1 ensure that the trust property and all buildings thereon and other property of the Charity are at all times kept in repair and sufficiently insured against all insurable risks including fire, theft and public liability and must whenever necessary procure a professional valuation for such purposes and
- 4.3.2 take out such insurance as the Council considers necessary to protect the trust property including but not limited to public liability insurance and employer's liability insurance.

5. POWERS OF THE COUNCIL

The Council has the following powers, which may be exercised only in promoting the Charity's objects:

- 5.1 to raise funds and invite and receive contributions and endowments (whether for general or special purposes). In raising funds, the Council must not undertake any trading activities which are liable to tax other than charity trading and must conform to relevant requirements of the law
- 5.2 to buy, take on lease or in exchange, hire or otherwise acquire any property necessary for the achievement of the Charity's objects and to maintain and equip it for use
- 5.3 subject to clause 13 and subject to the restrictions imposed by the Charities Act 2011, to sell, lease or otherwise dispose of all or any part of the trust property and other property belonging to the Charity
- 5.4 to deposit or invest funds in any manner (but to invest only after obtaining advice from a financial expert)
- 5.5 to borrow money by mortgage or otherwise or to seek grant aid as may be required for maintaining, extending or improving the trust property or any part thereof or erecting any building thereon or for any work carried on therein and to charge the whole or any part of the trust property and other property at any time belonging to the Charity with repayment of the money so borrowed or granted (but only in accordance with the restrictions imposed by the Charities Act 2011)
- 5.6 to employ staff (who shall not be members of the Council) and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants
- 5.7 to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the Charity's objects or of similar charitable purposes and to exchange information and advice with them
- 5.8 without prejudice to clause 4.2, to appoint, constitute and provide clear terms of reference for, such committees as the Council may think fit. Such committees shall be answerable to the Council and all their acts and proceedings must be fully and promptly reported to the Council
- 5.9 to establish or support a local forum of representatives of community groups, voluntary organisations; statutory authorities and individuals involved in community work.
- 5.10 to do anything else within the law which promotes or helps to promote the Charity's objects.

6. MEETINGS OF THE COUNCIL

The following provisions apply to meetings of the Council as sole trustee of the Charity:

- 6.1 The Council must hold at least two ordinary meetings in each year. All meetings must be held separately from, and at different times to, meetings of the Council otherwise than as sole trustee of the Charity.
- 6.2 Meetings of the Council may be called at any time by the chairman or any two members of the Council upon not less than ten days' notice having been given to all other members.

- 6.3 A special meeting may be called at any time by the chairman or any two members of the Council upon not less than seven clear days' notice being given to all other members of the Council of the matters to be discussed.
- 6.4 If the chairman is absent from any meeting, the vice-chairman (if any) shall preside; otherwise the members present must, before any other business is transacted, choose one of their number to be chairman of the meeting.
- 6.5 Every issue may be determined by a simple majority of the votes cast at a meeting of the Council.

7. RECORDING OF MEETINGS

The Council must keep proper minutes of its meetings. The minute book must be available for inspection upon reasonable request by any member of the Council. The minute book must be retained by the Clerk to the Council.

8. ANNUAL GENERAL MEETING AND SPECIAL MEETINGS

- 8.1 There shall be an annual general meeting in connection with the Charity which shall be held in such month of the year as the Council shall determine provided that annual general meetings must be held not more than fifteen months after the holding of the preceding annual general meeting.
- 8.2 All inhabitants of the area of benefit of 18 years of age and upward shall be entitled to attend the annual general meeting.
- 8.3 Public notice of every annual general meeting shall be given in the area of benefit at least 14 days before the date thereof.
- 8.4 The chairman of annual general meetings shall be the chairman for the time being of the Council, but if he or she is not present before any other business is transacted, the persons present shall appoint a chairman of the meeting.
- 8.5 The business of an annual general meeting shall be the presentation by the Council of the report and accounts of the Charity for the preceding year and such other business as the chairman shall allow.

9. ACCOUNTS

The Council must comply with their obligations under the Charities Act 2011 with regard to:

- 9.1 the keeping of accounting records for the Charity
- 9.2 the preparation of annual statements of account for the Charity
- 9.3 the auditing or independent examination of the statements of account for the Charity and
- 9.4 the transmission of the statements of account of the Charity to the Charity Commission.

10. ANNUAL REPORT AND ANNUAL RETURN

The Council must comply with its obligations under the Charities Act 2011 with regard to the preparation of an annual report and of an annual return and their transmission to the Charity Commission.

11. RECEIPTS AND EXPENDITURE

The income of the Charity, including all donations and bequests, must be paid into an account operated by the Council in the name of the Charity at such bank or building society as the Council shall from time to time decide. All cheques and orders for payment of money from such account shall be signed by at least two members of the Council.

12. RULES

Within the limits prescribed by this governing document the Council may from time to time make and alter rules for the management of the Charity and in particular with reference to:

- 12.1 the terms and conditions upon which the trust property, or any other property belonging to the Charity, may be used by persons or bodies other than the Council for the purposes specified in this governing document and the sum (if any) to be paid for such use
- 12.2 the deposit of money at a proper bank or building society and the safe custody of documents
- 12.3 the appointment of an auditor or an independent examiner
- 12.4 the engagement or dismissal of such officers, servants and agents as the Council may consider necessary and the payment of such persons (not being members of the Council)
- 12.5 the summoning and conduct of meetings."

13. DISPOSAL OF PROPERTY AND DISSOLUTION

- 13.1 Subject to the provisions of this Clause, if the Council decides at any time that on the grounds of expense or otherwise it is necessary or advisable to discontinue the use of the trust property, or any other property belonging to the Charity, in whole or in part for the Objects, the Council may sell the trust property or any other property belonging to the Charity or any part of it on such terms as may be approved by the Council in accordance with the provisions of Sections 117 to 123 of the Charities Act 2011.
- 13.2 The Council may only do so if:
- 13.2.1 the decision to sell is confirmed by a resolution passed at a special general meeting of the inhabitants of the age of 18 years and upward of the area of benefit and
- 13.2.2 such resolution is passed by a majority of such inhabitants present and voting at such meeting.
- 13.3 Not less than fourteen days' notice of such special general meeting (stating the terms of the resolution that will be proposed) must be posted in a conspicuous place or placed on the trust property and advertised in a newspaper circulating in the area of benefit.
- 13.4 Following the sale of the trust property and other property belonging to the Charity, in whole or in part in the circumstances described in clause 13.1, all monies belonging to the Charity including the proceeds of sale of any fixtures and fittings (after satisfaction of any liabilities properly payable) must be applied:
- 13.4.1 in the purchase or lease of other trust property approved by the Council and to be held upon the trusts of the Charity for to such charitable purposes as near thereto as circumstances permit or
- 13.4.2 towards such other charitable purposes or objects for the benefit of the inhabitants of the area of benefit as may be approved by the Charity Commission.

Pending such application, such monies must be invested and any income arising shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income to be applied as the capital of such investments or must be used in furthering the purposes specified in this governing document.

- 13.5 In the event of the Charity being dissolved a copy of the statement of accounts, or account and statement, for the final accounting period of the Charity must be sent to the Charity Commission."

B) By the deletion of the third schedule

It was resolved that the above-mentioned resolution should be approved and that the amended governing document of the charity should be lodged with the Charity Commission