

# Barrington Village Hall and Playing Field

Charity Number: 304474

Barrington  
Somerset  
TA19 0JE

## CONSTITUTION GOVERNANCE AND OPERATING PROCEDURES

Date: May 2018

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## PART 1

### **CONSTITUTION**

The essence of the Charity Commission Scheme establishing the Charity

#### **INTRODUCTION**

Barrington Village Hall is a Registered Charity (Number 304474), run and maintained by Trustees, for the benefit of the residents of the Village and its environs. Its status arises from, and is defined in, a Trust Deed.  
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The Charity is considered both with the activities, within, and on behalf of Barrington Village Hall and Playing Field and the physical property as defined in the Trust Deed.

The Trust Deed sets down the administration and management provisions for the Charity, which are summarised below in the remaining paragraphs of this Constitution section.

#### **OBJECT OF THE CHARITY**

The Charity is to provide and maintain the Hall for the use of the inhabitants of the Parish and its environs, without distinction of political, religious or other opinions etc, to advance education and provide facilities in the interest of social welfare for recreational and leisure time activities with the object of improving the conditions of life for said inhabitants.

#### **COMMITTEE OF MANAGEMENT**

The Charity is to be managed and administered by a Committee of Management, to act as the Charity Trustees within the meaning of Section 46 of the Charities Act 1960.

The Committee of Management (committee) is to comprise:

No less than five Elected Members:

Representative Members as deemed by the Trustees

Co-opted Members as deemed by the Trustees

Any Member who is adjudged bankrupt or makes a composition or arrangement with his creditors or is incapacitated from acting or communicates in writing to the Committee a wish to resign shall thereupon cease to be a Member.

All Members are to retire from office at the next Annual General Meeting (AGM) after they come into office but may be re-elected or re-appointed at the same meeting.

Casual vacancies in Membership do not invalidate the proceedings of the Committee.

Members are to sign a declaration of acceptance of the Code & Practices and Responsibilities of being a Trustee to the Charity before they are entitled to act as Members. Those re-elected or re-appointed must make a new declaration.

Members are not to have any interest in property belonging to the Charity, other than as a Trustee, or receive any remuneration, or be interested in the supply of work or goods at the cost of the Charity.

### **ANNUAL GENERAL MEETING (AGM)**

There is to be an AGM in the month of May or as soon as practical thereafter. Public notice is to be given at least 14 days before the date of the AGM. All inhabitants of the area of benefit over 18 are entitled to attend and vote.

The standing Chairman will preside over the AGM until the election of the new Committee.

The accounts of the Charity for the preceding year are to be presented to the AGM.

### **MEETINGS OF THE COMMITTEE**

In addition to the AGM, the Committee is to hold at least 9 Ordinary Meetings per year. A Special Meeting may be summoned at any time by the Chairman or by any 2 Members with 7 days clear notice being given to all the other members of the matters to be discussed.

The Committee, at their first meeting in each year after the Annual General Meeting, and before any other business is transacted, shall elect a Chairman and may also elect a Vice-Chairman from amongst their Members. Chairman and Vice-Chairman are always eligible for re-election.

In the absence of both Chairman and Vice-Chairman, the members present may choose one of their numbers to be Acting-Chairman for the meeting. Decisions are determined by a majority of votes cast by Members present at a meeting. The Chairman shall hold a second or casting vote if required. A Minute Book and Books of Account are to be kept.

### **RULES**

The Committee is empowered to:

Set the terms and conditions for use of the Hall and to set the charges (if any) for such use.

Appoint a Booking Secretary, Administration Secretary, Treasurer and other unpaid officers as considered necessary.

Engage and dismiss paid officers and servants of the Charity as considered necessary.

A quorum at Committee is **not less than two-thirds** of the total number of Members.

## **INSURANCE**

The Committee is required to insure the building, furniture and effects to their full value against fire and the usual risks and suitably insure against risks arising from the ownership of property and the employment of persons.

## **INCOME**

The income of the Charity is to be paid into a trust account(s) and is to be applied as the Committee decide in insuring, maintaining and repairing the property, furniture and effects, and paying rates and taxes as required in furthering the object of the Charity. Surplus cash may be invested or used for the benefit of the building.

## **PART 2 GOVERNANCE**

The basic mechanisms by which the Committee fulfils the requirements of the Charity Commission Scheme

### **INTRODUCTION**

The Committee is committed to operate within the provisions of the Trust Deed and where this appears to be archaic or lacking in guidance for the contemporary situation, within the spirit of the original Charity Commission Scheme and in accordance with the Charities Act 2006. When there is sufficient variance to warrant it, the Committee will apply to the Charity Commission for amendment to the existing Trust Deed. It is the opinion of the Committee that this point has not been reached.

### **OBJECT OF THE CHARITY AND APPLICATION OF INCOME**

The Committee considers that it has a duty not only to maintain the Village Hall but also to improve the facility better to meet contemporary needs, including due attention to environmental issues.

### **TITLE TO THE HALL**

The title to the property is held in the name of the Official Custodian for Charities on behalf of the Charity/or/other holding trustees. The property is managed by the Committee on behalf of the Official Custodian for Charities/or/other holding trustees. Under the provisions of Section 22(2) of the Charities Act 1993 the Committee may carry out a transaction as if the property were held in the names of individual Committee Members.

### **COMMITTEE**

The Committee shall consist of Representative Trustees, and Elected Trustees. Elected Members can also represent user organisations.

The Committee aspires to elect officers into the key positions of:

- Chairman
- Vice Chairman
- Secretary
- Treasurer
- Booking Secretary

also aspires to identify Elected Members or Representative Members who will lead on issues as the following titles imply:

- Bookings
- Fundraising
- Licensing
- Maintenance
- Hallmark

While the Trust Deed list/s a number of defunct organisations and also organisations that no longer regularly use the Hall, the Committee considers that the following organisations are relevant and entitled to provided representatives at committee meetings, such as :

Representative Members:

Barrington Pre-School

Table Tennis

Barrington P C

Gardening Club

Barrington Players

Bridge Club(s)

The Committee accepts that:

Where those organisations are already represented by an Elected Member, the organisation need not provide a Representative Member.

Those hirers who use the Hall for business purposes are not entitled to provide Representative Members.

The current Committee, their roles and their Representative interests are listed at Annex A.

Statutory powers provided to the Committee by the 1993 Act, as amended by the 2006 Act, enable the Committee to amend the Constitution of the Committee by proposal to, and with the agreement of, an AGM. The record of such an AGM would need to be sent to the Charity Commission so that Register of Charities can be appropriately amended.

## **MEETINGS**

Committee Meetings are currently held at Barrington Village Hall monthly on the third Monday, starting at 7.00pm. and aim to finish by 9.00 pm

In order to allow sufficient time for the closure of accounts, audit and analysis of audit, the AGM will take place annually in month of May as per Trust Deed or as soon as practical thereafter. The AGM will be followed, as soon as possible, by a Committee Meeting.

Having elicited any inputs from Members and cleared a draft with the Chairman, the Secretary will circulate the Agenda to Members one week before any Meeting.

## **PART 3 OPERATING PROCEDURES**

The detailed arrangements set in place by the Committee to underpin and guide its management of the Charity

### **INTRODUCTION**

The Committee of Trustees is committed to operating and maintaining Barrington Village Hall in accordance with the law and the requirements of the Charity Commission for the benefit of the residents of Barrington and its environs. It draws on guidance from the Village Hall & Village Buildings Advisor from Village First. It aspires to membership of the Hallmark scheme for Village Halls.

### **MANAGEMENT COMMITTEE**

The Duties of the Management Committee are set down at Annex B and its Appendices.

### **FINANCE**

#### **Concept:**

The Committee established the following enduring principles:

- Letting income should be set at a level to cover all overheads plus a reserve fund.
- Banking of hiring deposits; good financial practice is that money should be banked at least two weeks before the event so that the hall can cancel or get cash if it bounces. Deposit for an outside group/party should be equal to your insurance excess.
- The Trust will operate financial procedures which comply with the Charity Commission guidance given in CC8 – Internal Financial Controls for Charities.

#### **Budget**

Each New Year the Treasurer is to prepare a simple Financial Plan and Budget for the new financial year for consideration at Committee.

#### **Charity Commission**

It is the duty of the Charity Commission to take a close interest in the financial affairs of the Charity. The Treasurer is the principal point of contact for finance and therefore has a duty to update the Charity Commission on all matters. He possesses a login and password to complete certain updates on-line. The login and password are related to the Charity, and not the Treasurer, and therefore may be used by other Officers of the Trust, as required.

#### **Bank Accounts**

- The Village Hall maintains 2 bank accounts: a Current Account and a savings Accounts. All accounts are '2 signatory' accounts, whether for issuing a cheque for the Current Account or for issuing instructions for moving funds between accounts or establishing regular payments.

- The current authorised signatories are: Treasurer and two other signatories though the normal combination is Treasurer and Chairman, any instructions to the Bank should be double signatory letters, addressed:

**National Westminster Bank Ltd**  
**10 East Street, Ilminster, Somerset, TA19 0AA**  
**Account Name is: Barrington village Hall & Playing Field**  
**Account Number is: 23592796**  
**Sort Code is: 60-11-38**

N.B. INTERNET BANKING may be authorized with ONE signatory. Accounts showing payments to be made available to other Trustees.

### **Reserve Funds**

The level of reserve funds will be reviewed by the Committee from time to time. At the present time it has been agreed that a reserve fund of **(minimum of £20K)** be established to cover unforeseen emergencies and requirements.

It is recognised that future major maintenance requirements may from time to time require a review of these arrangements.

### **In Year Accounting**

The accounts will be kept in accordance with the Charity Commission requirements as expressed in CC15a/CC15b – Charity Accounts, The Framework.

The accounts will identify income and expenditure categories in sufficient detail for the Trust to assess the financial situation as and when required.

The end of year accounts will be subjected to an Independent Review as specified by the Charity Commission for our level of income and expenditure. There is no requirement for an independent audit.

### **Utilities**

It is noteworthy that the VAT rate for energy supplies to not-for-profit buildings such as the Village Hall is set at a non-standard rate. Neither is the Village Hall liable for the Climate Change Levy. Our current suppliers conform. If energy suppliers are changed, they may need to be advised of this provision before invoicing for services; since it is not an automatic provision.

### **Electricity:**

Electricity is supplied by EDF. A Direct Debit (DD) from the Current Account is established. The Treasurer will reconcile the DD account at the end of each Financial Year and adjust payments as necessary.

### **Water:**

Water is supplied by Water2Business. There is a single, metered supply. Direct Debit (DD) from the Current Account is established. The Treasurer will reconcile the DD account at the end of each Financial Year and adjust payments as necessary.

**Rates:** The Hall currently enjoys Discretionary Non-Domestic Rate Relief from Somerset County Council.

## **Spending Authority**

The following spending authorities and limits currently apply:

Treasurer: The Treasurer may:

Settle conventional utility and other standard services bills (e.g. insurance premiums, licensing fees, PRS/PPL, etc.) regardless of amount.

Make minor purchases (e.g. accounting materials, stationery, etc) and procure minor services (e.g. postage, advertisements, cleaning materials, etc) for necessary administration purposes up to the value of £100.

Agree and settle minor bills for maintenance and repair up to £1,000 provided such funds are available in the relevant current account.

Agree and settle bills for administration, maintenance and repair up to £1,000 with the authorisation of the elected Maintenance Manager provided such funds are available in the relevant sub account. Items over the value of £1,000 will be authorised by the full Committee.

Chairman: The Chairman may:

Approve general, incidental, expenditures up to the value of £250

Management Committee: The Committee will:

Discuss and agree expenditures in excess of those listed above.

Will recognise that justifiable and expedient actions will sometimes be necessary.

May occasionally give purchasing authority (within an agreed limit), to a particular Committee Member (or Members) to act on its behalf for a specific purpose.

## **HIRE OF THE HALL**

The Terms of Hire and the Application and Approval process are set down in the document at Annex E. Applications to hire the Village Hall are made using the detachable element of this document. If the Application is approved, the document amounts to a contract between the Committee and the Hirer of the Hall for the activity or event described.

The Committee may use its discretion to waive or vary the standard charges set down in the Hire Agreement, as it deems appropriate. However, in all cases of any use of the Village Hall, the Application procedure is to be diligently followed.

## **STORAGE**

Tables and chairs and staging are stored in the Storage Cupboards. Storage plans for such areas are displayed on all storage doors and all users are required to comply with them to ensure safe storage and for the general benefit of all users.

## **MAINTENANCE**

All routine maintenance is closely monitored by Trustees and the Chairman is notified of issues as required.

The Chairman is to direct an annual maintenance audit and, through the Maintenance Manager establish a maintenance schedule for the coming Financial Year.

## **DEVELOPMENT**

Similarly, the Chairman is to direct an annual development review if possible and, through Committee, establish a Development Schedule covering a rolling 5 year cycle.

## **LICENSING**

### **PREMISES LICENCE AND ALCOHOL**

The Committee has been granted and intends to maintain a Premises Licence.

The existence of the Premises License is not intended by the Committee to give free reign to Hirers of the Village Hall regarding the supply or sale and consumption of alcohol during their activity or event. De facto license to supply or sell and consume alcohol during an activity or event in the Hall is subject to specific application by the Hirer and specific approval by the Committee. A Temporary Event License must be applied for by the hirer. The default position is that alcohol is not to be supplied or sold and consumed on the premises without an approved application.

### **PERFORMING RIGHT SOCIETY & PHONOGRAPHIC PERFORMANCE**

The Committee purchases an annual license from the Performing Rights Society (PRS for Music) together with the Phonographic Performance License (PPL) for the playing of live music and the live entertainment in the Hall.

### **PROTECTION OF YOUNG AND VULNERABLE PEOPLE**

Events where children, young and vulnerable people are present must conform to the Law. Hirers must ensure appropriate supervision and that supervisors are properly accredited. Supervision of young persons MUST be carried out by D+BS cleared personnel.

Hirers must ensure that young and vulnerable people are protected from alcohol abuse.

Drugs and substances that can be abused are not permitted on the Village Hall premises and Hirers are responsible for appropriate supervision of their event to prevent drugs and substance abuse.

## **FIRE**

The Committee is committed to operating and maintaining Barrington Village Hall in accordance with The Regulatory Reform (Fire Safety) Order

The Fire Safety Policy, together with the Assessment from which it arises and other supporting material, is at Annex F.

## **HEALTH AND SAFETY**

The Committee of Trustees recognises its responsibility, in law, to maintain a safe environment for Users and Hirers of the Hall. It will review its Risk Assessment and the provisions arising annually in January.

The Committee of Trustees cannot be fully responsible for the Health and Safety aspects of activities that are not under its control. However, it will do all that it can to alert Hirers of the Hall to recognise their own responsibilities regarding the Health and Safety in regard to their own activities.

The Health and Safety Policy, together with the Assessment from which it arises, is at Annex F.

## **KITCHEN**

The kitchen is maintained principally to support the activities of the local clubs. The use of heating and lighting is included in the hire charge. All kitchen equipment is subject to a charge (coin meter).

## **ANNEX A**

### **THE CURRENT COMMITTEE OF TRUSTEES 22/05/2017**

The current Committee comprises the following Elected Members:

Ian Smith  
David Clifton  
Eileen Cockburn  
Trevor Webb  
Gill Clifton  
Bernd Schweim  
Elizabeth Snowden (representing the PCC)  
Ann Robinson (representing the PCC)  
Robin Le-Clerque (representing the Ilminster Gardening Society)

## **ANNEX B**

### **DUTIES OF THE COMMITTEE**

#### **INTRODUCTION**

The responsibilities of Committee members as Charity Trustees, are set down in The Charities Act 2006 and are more readily accessible in both:

The Charity Commission booklet 'The Essential Trustee'

ACRE's Village Hall Information Sheet 17 – Trustees: Roles and Responsibilities

Committee Members of Barrington Village Hall Charity (or Managing) Trustees; those people who manage the Charity on a day to day basis. They are required to act always for the good of the Charity and in compliance with the Trust Deed and prevailing legislation.

#### **GENERAL DUTIES**

The General Duties of each of the Members of the Committee of Trustees are to:

- Acknowledge their responsibilities as set down in the guidance literature, the Trust Deed and this Charter and certify the fact at the beginning of each year of office.
- Act reasonably and prudently and not speculate with the Charity's assets.
- Ensure that the Charity is fully insured against loss and claim.
- Comply with "all and every" legal requirement.
- Maintain financial stability of the Charity.
- Act together.
- Avoid a conflict of interest. Trustees must remain beyond reproach.
- Extend apologies to the Secretary prior to any Committee Meeting which they may be unable to attend.

## **LIABILITY**

Trustees may be liable for their actions if they have acted:

- In breach of the governing document.
- Unwisely with Charity assets resulting in a loss to the Charity.
- Illegally.
- Where a loss occurs despite the best and reasonable efforts of the Trustees it is not probable that they will be held liable.

## **GOOD PRACTICE**

ACRE's Information Sheet 17 offers the following guidance:

- Follow the governing document.
- Attend meetings.
- Act collectively.
- Keep written minutes of decisions.
- Ensure the treasurer presents regular financial reports and prepares a budget each year.
- Ensure that the property and committee are adequately insured.
- Obtain professional advice.
- Act with due care and prudence.
- Ensure the property is adequately maintained.
- Keep all licenses up to date.

When preparing correspondence on behalf of the Committee, the Registered Charity Number 304474 should always be quoted (or incorporated in the letterhead).

## **TRUSTEE LIABILITY INSURANCE**

Committee Members should be alert to the availability of this sort of insurance and should review their position in conjunction with the principal insurance policy, which may also provide such cover.

The current view of the Committee is that liability risk to them as Trustees is included in the conventional Insurance Policy.

## **APPENDIX 1**

### **DUTIES OF THE CHAIRMAN**

In addition to the General Duties of a Member of the Committee of Trustees, as set out in Annex B, the Chairman is to:

Be the principal Trustee and 'face' of the Charity to external organisations.

Guide and mentor other Committee Members as required.

- Chair Meetings of the Committee.
- Guide and steer discussions at Meetings.
- Use a second or casting vote as required at Meetings.
- Keep Meetings focused and completed within the 2 hour target duration whenever possible.
- Approve the Secretary's draft Agenda for a future meeting so that it may be issued one week prior to the Meeting.

## **APPENDIX 2**

### **DUTIES OF THE VICE CHAIRMAN**

In addition to the General Duties of a Member of the Committee of Trustees, as set out in Annex B, the Vice Chairman in the absence or non-availability of the Chairman is to

- Assume the duties of the Chairman as set out in Appendix 1
- Including the second-signatory role and
- Approval of the Treasurer's bill paying actions

## **APPENDIX 3**

### **DUTIES OF THE SECRETARY**

In addition to the General Duties of a Member of the Committee of Trustees, as set out in Annex B, the Secretary is to:

- Maintain the formal records of Meetings.
- Maintain the principal files and records of the Charity, including the Trust Deed.
- Hold and maintain the Trustee's copy of the Charity Act 2006 and The Essential Trustee.
- Hold and maintain the Trust's Constitution, Governance and Operating Procedures for the Village Hall.
- Ensure that Trustees are issued with a copy of the pamphlet The Essential Trustee on appointment, or advise where to obtain it by email from the Charity Commission, and sign the Code of Practices & Responsibilities to acknowledge their acceptance of their responsibilities on an annual basis.
- Provide each Trustee with a copy of the Constitution, Governance and Operating Procedures for the Village Hall.
- Provide the Trustees with any amendments to the Constitution, Governance and Operating Procedures.
- Prepare and despatch correspondence as required by the Committee.
- Maintain copies of incoming correspondence, alert the Committee as required as to its content and respond as required by the Committee.
- Write to entitled User organisations and groups annually to elicit Representative Membership for the coming year.
- Issue draft Minutes to Members within one week of any Meeting.
- Prepare a draft Agenda for the Chairman's approval in time for it to be issued to Members one week prior to any Meeting.
- Maintain a record of the maintenance schedule / liaise with contractors regarding timing and budget.

## APPENDIX 4

### DUTIES OF THE TREASURER

In addition to the General Duties of a Member of the Committee of Trustees, as set out in Annex B, the Treasurer is to:

- Maintain accounts on behalf of the Committee.
- Make a financial statement (Treasurer's Report) at each Committee meeting.
- In his absence from any Meeting he should endeavour to provide a written report.
- Regularly review, research and advise the Committee regarding the most suitable banking arrangements for the purposes of the Charity.
- Review and maintain the Insurance policies in accordance with the law and the current needs of the Charity and its Committee.
- Prepare a Financial Plan and Budget for the new Financial Year for consideration at Committee.
- Arrange for the necessary review of the accounts at the year end.
- Notify all regular users in advance of any change of the hire rates.
- Be responsible for the financial management of any employee/s.

The Treasurer is authorised to:

Hold the cheque books and receive statements from the Bank.

Issue cheques in settlement of all bills properly invoiced to the Charity for services provided. A second signatory is required.

Move assets between accounts. A second signatory is not required but does require the full agreement of the Trustees.

Establish and amend Direct Debit / Standing Orders for routine bills regardless of the amount.

Settle conventional utility and other standard services bills regardless of amount. Agree and settle minor bills for administration, maintenance and repair up to £500 provided such funds are available in the relevant sub account.

Agree and settle bills for administration, maintenance and repair up to £1,000 with the authorisation of a quorum of a relevant sub-committee provided such funds are available in the relevant sub account.

Make minor purchases (e.g. accounting materials, stationery etc) and procure minor services (e.g. postage, advertisements etc) for necessary administration purposes up to the value of £100.

Act as the principal contact between the Committee and The Charity Commission regarding the yearly Financial Statement.

With the exception of conventional utility and other standard services bills, the Treasurer is not to settle bills in excess of £1,000 without the authorisation of the full committee.

## **APPENDIX 5**

### **BOOKING SECRETARY**

Authorised to handle enquiries on behalf of Barrington Village Hall

Responsible to: Barrington Village Hall Management Committee

Main Contacts: External hirers and regular users

Appointment Requirements: To understand and accept BVH Policies, be computer literate.

Main Tasks:

Managing a Bookings Diary for group activities and individual hirers

Responding to potential requests for Bookings (phone calls, emails, web enquiries or in person)

Showing potential hirers around the hall (with the help of other Trustees) and explaining any key points and terms. Opening and closing the hall for some bookings or making other arrangements involving other Trustees.

Taking deposits and payments.

Pass over all money and any relevant paperwork onto the group treasurer for processing.

Maintaining and updating Booking Forms and Terms and Conditions and any Opening and Closing Instructions for the Building

## **APPENDIX 6**

### **DUTIES OF ELECTED MEMBERS**

Elected members may take on specific responsibilities with regard to the organization and running of the village building:

eg Maintenance of the building  
Maintenance of the playground

### **DUTIES OF THE PREMISES MANAGER**

Keep Committee Members informed

- obtaining of quotations from specialists - agree list of competitive tenderers when necessary
- report to Committee - results of all tenders, estimates obtained, update on hours expended each month by engaged workers
- programme timings and coordination with BVH bookings diary
- progress reporting at Committee meetings

Agree access arrangements with keyholders as necessary

Appointment of any specialist consultants when and if required after agreement with Trustees

Monitoring of works when possible and arranging cover by other committee members

## **APPENDIX 7**

### **DUTIES OF THE REPRESENTATIVE MEMBERS**

In addition to the General Duties of a Member of the Committee of Trustees, as set out in Annex B, a Representative Member is to represent the particular interest of the User organisation or group represented.

Representative Members are full voting Members of the Committee and, accordingly, are expected to participate fully in the activities of the Committee. In law, they have a first duty to the Village Hall Charity and not to their organisation or group. (Reference Charity Commission - The Essential Trustee)

Representative Members may, and are encouraged to, take a lead role for a specific function, as set out under Committee in Part 2 – Governance.

Elected Members may also act as Representative Members in respect of a particular User organisation or group.