

Preston Brook Parish Council

MINUTES OF PRESTON BROOK PARISH COUNCIL MEETING HELD at 8:30PM ON MONDAY 27 FEBRUARY 2023 AT PRESTON BROOK VILLAGE HALL, SANDY LANE, PRESTON BROOK, CHESHIRE, WA7 3AW.

Members Present

Cllrs A. Price, J. Walton, C. Murray, P. Bolton and G. Littler

Also Present:

Luke Trevaskis - Proper Officer

1 member of the public

Meeting opened at 8.32pm

1. **Chairman** – Cllr A Price was duly elected following the resignation of the prior Chairman.
2. **Apologies** – received from Cllr M Marlow and L Sanders.
3. **Declarations** – Cllr Price declared an interest as a trustee of Preston Brook Village Hall.
4. **Police** – the Council noted the recent report.
5. **Minutes** - RESOLVED that the minutes of the last meeting be accepted as a true record and a member raised requirement for .gov email addresses.
6. **Co-Option** - the Council considered one application for co-option and duly co-opted Mark Hughes.
7. **Public Realm**
 - Members noted the further emails that had been sent to Halton BC regarding the boulders for opposite the Spar.
 - Members agreed to undertake the consultation for the proposals to the open spaces at the same time as the meeting for the Neighbourhood Plan.

8. Village Hall

Members noted some ongoing issues with the transfer of the administration of the Village Hall charity.

Members were advised that usually there is a Trust Deed which outlines the process for transfer, and one set of trustees simply meets in line with the Trust Deed and agrees its transfer, with the new body then meeting to formally accept becoming the new sole trustee to administer the Trust Deed.

However, upon checking information with the Charity Commission, it appears that there is quite a lot tidying up to do first.

Firstly, the Council would need minutes from the VH Committee trustees confirming the decision to transfer the administration of the Trust Deed / Charity to the PC (these have been requested).

Information from the Charity Commission indicates that it appears two charities are registered as Preston Brook Village Hall, one a CIO (Charitable Incorporated Organisation) and the other an unincorporated charity (which shares some of the same trustees as the CIO and is marked as over 1500 days late in filing accounts).

The Commission's website indicates that a CIO has been set up to take over the management of the charity from the unincorporated charity, but that the final stages in the transfer process may not have been completed. The Council would first need to obtain a copy of the Vesting Declaration or Transfer Agreement between the trustees of the CIO and the unincorporated charity. That document should help confirm whether effect has been given to that proposed transfer or not.

Once this has been obtained, the Council can tidy up the submission of the final accounts for the unincorporated charity before the Charity Commission would accept the resolution to transfer management to the PC.

Further, the documents provided by the VH Committee also raise questions about the date of the original Trust Deed and conveyance for the unincorporated charity. The Land Registry entry mentions a 1942 Trust Deed, the Charity Commission website a Trust Deed dated 1976. The Council needs to understand which of these is accurate and needs to obtain the original Trust Deed which the VH has so far been unable to provide.

It is also likely that in addition to legal support from a Charity Law expert, the Council may also require some legal guidance in respect of the property matters (if that was not obtained by the VH Committee in relation to the establishment of the CIO). The Land Registry currently have quite a backlog so are taking a long time to process requests, but the Council would need to know whether solicitors were engaged by the trustees of the unincorporated charity to carry out the property matters of the transfer to the CIO and, if so, whether they have applied to register the property in the name of the CIO. If none of the property matters of the transfer to CIO status has been undertaken, then it may be easier to deregister the CIO and transfer the unincorporated charity to the PC (after first sorting out the accounts).

Given the complexities, it is difficult currently to estimate how long this process will take, but it was confirmed it is likely to increase costs. The Council approved a budget of £2,000 and delegated facilitation to the PO. The Council also noted interviews were taking place for a new bookings officer. It was agreed to contact some residents to see if they had a copy of the Trust Deed.

8. Highways

- The Council agreed to revisit this issue at a future date.

9. Communication

- The Council noted that content had not yet all been received. It was hoped to have the newsletter printed for distribution week commencing 20/3.

10. King's Coronation

- The Council noted that the PO had applied for a grant from the National Lottery.
- The Council approved for the event to take place on Sunday 7 May 2023.
- The Council intended to recreate some aspects of the event held for the Jubilee and agreed to hold an afternoon for children from 12noon-4pm, then an evening for adults 6-10pm. Children's activities to include soft play, bouncy castle, face painting, ice creams, and other activities (no golf or helter skelter). Evening to include a band and bar. Costs also to be explored for a marquee.
- It was agreed invite local groups to assist and get involved to promote themselves - WI, VH Trustees, History Group.

10. Finance

- The Council approved for Cllr Alan Price and Cllr Jamie Walton to become signatories on the bank account.
- A grant of £4,779.00 had been requested from a user group of the Village Hall. There was no proposer or seconder for the matter and no debate/vote took place.

11. Planning

- Planning Application 23/00052/COU - The Old School, Windmill Lane - no objections subject to all parking being off road.
- The Council approved for the Neighbourhood Plan meeting to take place on the evening of 28/3/23, 5-8pm, with members of the public also invited to attend the meeting on the prior night if they were unable to make 28/3.

12. **Ward Councillor Report** - none.

13. **Public Forum** - none.

14. Next Meetings

The Council agreed to meet on the 27 March at 8:30pm.

Signed as a true record

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Chairperson