

BENENDEN VILLAGE TRUST**Trustees' Meeting of Benenden Village Trust Monday 28th October 2024, 7pm, Iden Green Pavilion
MINUTES**

Item		
PRESENT	Kent Barker, Simon Brown, Tom Dawlings, Martin Dickson (Chairman), Peta Grant, Julie Lewis, Sally Ann Marks, Chris Parkinson. Caroline Levett (Trust Manager).	
1. APOLOGIES	Apologies were received from Paul Tolhurst.	
2. MINUTES OF PREVIOUS MEETING	The minutes of the Trustees' meeting held on 29th July were unanimously approved as a correct record of the meeting and signed by the Chairman. Matters arising not covered on the agenda : • CL confirmed that concessionary mowing of Benenden Recreation Ground, out of the growing season for 4 or 5 cuts, has been agreed with Tompsett Landscaping. • MD and CL have not yet carried out a review of the Risk Management process.	
3. COIF HOLDINGS	The inquiry by SB and MD into the origins of BVT's COIF funds and the legal constraints on the use of reserves has been concluded. The financial reserves, currently held in the COIF Accumulation Fund, belong in three baskets, with most of the assets comprising Permanent Endowment. These assets must stay permanently in the trust. The income produced by the assets can be used to fund day-to-day operations, maintenance or capital investment in BVT's buildings. The Permanent Endowment comprises two separate funds: A straightforward fund, with no further complications, and a Recoupment Fund. The latter was established in the 1970s to build up funds to repay HMT the cost of building Benenden Village Hall. A sum of £317pa was paid into a fund which had grown into a very substantial figure by the time these payments ceased in 2015. The Charity Commission confirmed that there are no remaining obligations to pay money into this fund and it could be merged with the other permanent endowment fund in one consolidated whole. The third element of the financial reserves, and the smallest, comprises Unrestricted Funds - assets deemed to have been built up over the years from retained income. These can be spent without encumbrance if Trustees judge this expenditure will make an important contribution to fulfilling the Trust's purpose. The explanation and proposal was circulated by MD, incorporating the advice of both the Charity Commission and BVT's accountant, and Trustees had agreed to : a. move the Trust's permanent endowment from the COIF Accumulation Fund to the COIF Income Fund and there combine the reserves in the straightforward fund and the recoupment fund b. keep the Trust's unrestricted reserves in the Accumulation Fund c. draw down £20,000 of the unrestricted reserves to cover large expenses facing the Trust over the next few months The end-September statement of accounts from COIF confirms the move of funds from the Accumulation Fund to the Income Fund, retaining £25,000 in the Accumulation Fund. SB emphasised that the Trust cannot spend Permanent Endowment capital in the Income Fund, only income paid out from the Income Fund, which is expected to total around £20,000 a year and will be paid directly to the Trust's bank account. Investments in the Accumulation Fund can be drawn on freely.	

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4. TRUSTEE RECRUITMENT	MD welcomed Peta Grant as a Trustee and confirmed the co-option from 5 th September 2024 which had been unanimously agreed by all Trustees. Having been co-opted, PG will need to be reappointed at next year's AGM.	
5. FINANCE, GOVERNANCE AND COMPLIANCE	a. <u>Minutes of the meeting held on 16th October</u> Draft minutes of the FGC Group meeting held on 16th October had been circulated. i. <u>Financial Position</u> - Bank account balances at 30th September : BVT Current Account £4,061,57; BVT Savings Account £14,098.77; BVH £5,786.18. All accounts £23,946.52. - Current year-end projected bank account balances of approximately £11,500. - A total of £35,000 has been drawn from COIF so far this financial year, with an additional anticipated £10-11,000 income from the COIF Income Fund to the year end. - COIF Accumulation Fund at 30th September unit/share holdings 97.0948; price per unit/share £258.5371; Value £25,102.61. - COIF Income Fund at 30th September unit/share holdings 38,966.9377; price per unit/share £20.2706; Value £789,883.13. - Total value at 30th September £814,986. Value at 30th June 2024 £852,626. The portfolio grew by 0.3% over the last quarter. Trustees remain very concerned that overall running losses will continue to be £20,000 greater than all income without further action. ii. <u>Valuations/Legal Advice on Tenants' Rights</u> - Bracketts carried out an inspection and valuation on 29th August and the full valuation report had been circulated. ❖ The Club currently pays £2,000pa and no service charge. The Pre-School currently pays £3,719.52pa plus £200pa towards water, but no other service charge. ❖ The suggested market rent for the Club space is £6,700pa for Class E business use / £4,500pa as a Club, or £6,000pa to reflect lack of service charge. ❖ The suggested market rent for the Pre-School is £4,900pa or £6,000pa to reflect lack of service charge. ❖ Value of the entire building with vacant possession is circa £800,000. ❖ The land value for additional dwellings to the rear of the building could be in the region of circa £100,000 per additional residential unit. - As a first step advice needed to be sought regarding the tenure of the Club and the Pre-School to establish all legal standings and whether the occupants have the benefit of protection under the Landlord and Tenant Act. - Bracketts indicated that the Club and Pre-School are likely business tenancies and would therefore have the right to new leases. - Trustees agreed to engage Mark Steggles of Thomson Snell and Passmore, who advised that for the initial stage of the work preparing a high-level report and options for dealing with each occupation arrangement, the cost will be about £1,380 plus VAT and expenses, but this may not be the extent of the overall legal spend. - TSP will also give an indication regarding the leases to BPC for the land on which the public toilets stand and the Bowls Club, which is a private club and produces no income for BVT. - No further action can be taken until the initial report from TSP is received. - Concerns remain that even if the rents are increased to a market rate, this is only an	

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	additional income of £6,000 pa. - It was agreed that any conversations with tenants would take place face to face. - It was confirmed that the Iden Green Tennis Club lease had previously been reviewed and that a market rate rent is being paid.	
6. PROPERTY	Report received from PT circulated. Property Group members: Chris Parkinson, Paul Tolhurst, Peta Grant. The Property Group has continued oversight of maintenance issues and the Group met on 25th September to introduce PG to the Property Group's work and to agree individual responsibilities. PG agreed to take a lead role for recreation grounds, trees and playgrounds. CP will continue to lead on St George's Hall and PT will lead on Benenden Village Hall. <u>a. Recreation Grounds</u> Contracts for mowing are in place and the Trust has a preferred tree surgeon. Key issues for 2025 will be replacement of dead saplings and the options for fencing the north (road) side of Benenden Recreation Ground. i. Trees - MD had met with Josh Ovenden to discuss the line of mature trees and the line of saplings. Only a small number of the saplings are still alive and it had been suggested moving these to replace those missing in the outer line. MD, PG and JO to meet to discuss further. - It was suggested that, as a financial saving, volunteer help could be sought to move the trees. ii. Fencing - The issue remains that trees do not secure Benenden Recreation Ground from the risk of incursion. - JB and CL have been looking at funding options for fencing, and JB is seeking quotes for fencing on the roadside and carpark side of the recreation ground, in addition to the quote previously received from CP. A gate would also need to be installed in line with the public footpath. - SAM suggested an approach to the Police and Crime Commissioner's Office for funding. - JL also highlighted the same risk applies to Iden Green Recreation Ground. - Trustees agreed to approach this as a three-part project – the two sides of Benenden and Iden Green. iii. Playgrounds - It was agreed that JL would write an article for the Magazine asking for volunteers to help keep the playgrounds clean and tidy and carry out odd jobs. There is the need for some maintenance of the playgrounds, and there are holes and dips appearing in the ground. - It was suggested that there is the need for another litter bin close to Benenden Playground. CL advised that there had been an issue earlier in the year which CL raised with TWBC and seems to have abated. CL confirmed that the TWBC contractor does empty the litter bins weekly and that previous conversations about the installation of another bin had not been successful. There are 4 other litter bins in close proximity. TD offered to take this up with TWBC again.	MD/PG JB/CL JL TD

	<u>b. Village Hall Heating</u> - Phase 1 of the replacement heating system was completed on 25th September. The new, more powerful heat exchanger was successfully installed and a follow up system check was undertaken by Element3 on 15th October. Phase 2 is installation of 'wet radiators' into the small hall which can be done when the boiler in the office that provides heating for other areas of the hall complex is replaced, but there is no urgent need to consider this at the moment. - Concerns had been raised by hirers about the noise and the fan speed was reduced to 60%. This has had no impact on the heating of the space due to the improved efficiency of the new heating system. <u>c. St George's Hall</u> SGH continues to be the main property of concern. i. Plumbing/water supply Chris Heath had identified problems with plumbing. A qualified plumber was asked to check the water system and reported as follows: - The primary water meter indicated some usage when all water was turned off at all three locations. This indicates there is a leak on the supply somewhere. - Each property was tested independently to determine if the water used passed through the primary meter. In all cases the primary meter measured the water usage. - All the individual properties have a stop cock, but they are old and seized. - To be able to measure water usage and provide suitable means of isolation, the following was recommended: ❖ Install a new stop cock and secondary water meter in the Cottage. ❖ Install a new stop cock in the Nursey and relocate the existing secondary water meter into the Nursery. ❖ Install a new stop cock and secondary water meter in the Club House. - These measures will enable determination of individual responsibilities for the water used. Currently, there is no way to determine the amount of water used individually by the Club House and The Cottage, both of which are supplied through the main primary meter. - A detailed investigation should be carried out to locate the source of the water leak. - CL has written to Marshalls heating seeking a quote to complete the recommended works and will chase. • CL will again request details of water meter readings and bills from the Club. ii. Large bay window - CP met with the preferred builder again to measure accurately for the window and for sketches which will be supplied to the TWBC Conservation Officer, as requested. - In due course most of the windows will need replacing. iii. Gas leak - Recent reports of a gas leak were investigated and a leak was found in the Club's gas fire, which has been disconnected and condemned. - The Club is looking to install a replacement and a new back boiler. - It needs to be established whose responsibility this is and CL to ensure that the Club does not carry out any work without reference back to BVT.	CL CL CL
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	iv. Access - It was noted that the Club refuses to give BVT keys to access the club which is not sensible as the Trust may need access in an emergency. - It was agreed to take no action at this time but any new lease should include access.	
7. VILLAGE HALL	<u>a. Performance</u> - Report circulated. - MD highlighted the positives in the efficiency of the way BVH is being run and the number of new and potential hirers. <u>b. Car Park</u> - MD had opened discussions with the BCEPS regarding parking at BVH and the letters of communication had been circulated. The School suggested that parents should not be allowed to use the car park at all unless using the Village Hall or the playground and had advised parents not to park at the Village Hall, but to use the School car park or park around the Green and use the footpath provided for this purpose. - However parents continue to use the Village Hall car park specifically for drop off, pick up and during school events. - BVT had previously agreed to school parking when it should not have. It was acting beyond its powers and had allowed this at no charge, despite the constant wear and tear to the car park surface. - The background to the school build including a car park and the various options were discussed again, including barriers, policing, enforcement and charging. - Trustees agreed that the problem had been passed to BVT when it is the School's responsibility to resolve, and it must be firmly put back in the hands of the School, highlighting that it must stop or that the School should pay, as legal advice suggests, and that the School should be encouraging Walking Buses.	MD
8. HR	JL reported : - JB has identified some general health and safety issues for which BVT needs risk assessments and policy statements, including lone working, working at height and manual handling. JL and CL to meet shortly to discuss what is required. - Following the completion of the annual staff performance reviews both CL and JB have expressed interest in undertaking some training. ❖ JB wishes to take a first aid course, including Basic Life Support (BLS) and defibrillator training. At an appropriate time BVT will consider the positioning of the defibrillator currently sited on the wall of Wheelrights. ❖ JL and CL to meet to discuss identified options for CL personal development needs.	JL/CL JL/CL
9. FILM NIGHT	- Takes place 16th November. - Volunteer help and raffle prizes required. - Still tickets to be sold, but it is not uncommon that tickets are not booked till closer to the event.	
10. APPROACH TO BENENDEN PARISH COUNCIL FOR FUNDING	JL and PG declared an interest as both Trustees and Parish Councillors. - As set out in the Finance Group Meeting Minutes, it had been suggested to approach the Parish Council for financial assistance and request that the precept is increased to give an ongoing grant of £10,000pa to BVT. - It had been established that BPC can help to financially support BVH and in the past made significant contributions to the playgrounds, but would not be able to support BVT generally or St George's. - The Finance Governance and Compliance Group recommended that, instead of requesting that the precept is increased, BVT makes a grant application this financial year towards, for example, the cost of the BVH heating installation, and another grant application(s) next year towards a specific project/item of expenditure.	

	- CL set out the process and timings for BPC budget and precept setting, and the likely impact of an increase in precept. - Trustees thought it not unreasonable that BPC should help to meet the running costs of public facilities such as grounds maintenance, playgrounds, village hall on an ongoing basis and it would be preferable from the Trust's point of view to charge this as an ongoing contribution through a precept increase. - It was agreed in the first instance that MD would have an informal conversation with the Chair of the Parish Council and the outcome of this discussion would guide the way forward.	MD
11. AOB	<u>Cottage Rent Increase</u> ❖ The Cottage rent is due for increase January 2025. ❖ The tenant had been paying £950pm since 2016. ❖ The valuation carried out by Lambert and Foster suggested a fair market rent of £1,400pm. ❖ Trustees had agreed that the rent should be adjusted to be brought into line for a fair market rent and a new tenancy agreement issued changing from RPI increase to market rental increase. ❖ Trustees had agreed that this would be carried out in two stages, starting with an increase to £1,200pm wef January 2024. ❖ The market rental increase over the past 12 months in the south east has been 1.6% according to ONS official figures for residential property. ❖ Trustees unanimously agreed to increase the rent to £1,400pm wef 1st January 2025 giving a concession to the tenant of no increase for 2025 on £1,400pm, which was the actual market rent for 2024.	
FUTURE MEETING DATES	Quarterly trustee meetings to take place on the last Monday of January, April, July and October. 2025 : 27th January, 28th April, 28th July, 27th October	
	Meeting closed at 9.15pm	