

# **West Rainton Parish Council - 15 March 2018**

## **Item 12: Jubilee Hall - information update**

### **Report of G Keedy, Project Officer**

This report is provided to inform Parish Council of the current position, including details of queries and research undertaken relating to this topic.

#### **Background**

At the 21 December 2017 meeting of Parish Council, the Secretary of West Rainton and Leamside Community Association (WRLCA) presented a proposal which included a suggestion from Durham County Council (DCC) that Parish Council should take a lead role in securing the future of Jubilee Hall by applying for a grant to purchase the premises and putting new management arrangements in place thereafter.

Members noted that this had been put forward without prior discussion with Parish Council.

Agreement was made that the Parish Clerk seek more detail from DCC.

#### **Dialogue with Durham County Council**

The Parish Clerk has been in correspondence with DCC since 8 January 2018 to seek clarity on a range of issues associated with the proposal as presented by the Communication Association.

DCC's most recent response (28 February 2018) has been circulated to Members for information. Unfortunately, this has not provided all the necessary clarity sought by the Parish Clerk.

In an attempt to expedite further information and clarity; and to avoid further frustration and protracted correspondence, Cllr Wallage, Vice Chairman and G Keedy, Project Officer have met with Durham AAP Co-ordinator (DCC contact on this topic).

This discussion identified aspects for action, specifically:

Confirmation of a formal offer from DCC outlining a package of assistance (ie. extent of professional services and financial support) to aid the Parish Council in its' decision making;

The clear need for Parish Council to fully understand the outcomes expected by DCC in relation to accountability and governance, given the contradictions highlighted in information received to date;

Release to Parish Council of DCC's valuation and building condition reports and confirmation of whether or not DCC's figures should be applied in consideration of a proposed sale.

Confirmation of DCC's legal opinion.

#### **Other actions:**

##### **West Rainton and Leamside Community Association (WRLCA)**

Members are advised that a query has been raised with Secretary of WRLCA to establish if a reputed covenant exists which would prevent or impede the sale of Jubilee Hall to a third party.

Confirmation was also sought as to whether or not existing loan providers were willing to permit the proposed sale.

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A response has been received from WRCLA advising that there is no such covenant and nothing in the CA's Constitution prevents the sale. Their creditors welcome the proposed sale.

However, this may not fully satisfy the requirements of Parish Council or DCC.

### **Durham Community Action (DCA)**

DCA have been approached for preliminary advice about potential operational models relevant to Village Halls. DCA are part of the Action with Communities in Rural Areas (ACRE) network who provide specialist advice on this topic.

DCA have outlined three delivery options for consideration should Parish Council ultimately determine to submit a grant application to purchase the hall. These are described below for information.

**a)** The Parish Council holds the land and the deeds for the building, then runs the building themselves; the Parish Council would need to create a separate legal entity to run the building – usually within the governing documents it states that all trustees/directors would be Parish Councillors.

The Parish Council would then lease the building and land to this separate legal entity. In addition, this model usually requires centre management and/or caretaker roles either voluntary or employed to run the building day to day.

**b)** The Parish Council holds the land and the deeds for the building, then delegates all activities to a separate management committee of volunteers. The Parish Council would be responsible for the building maintenance, insurances and health & safety.

Volunteers on a management committee would be responsible for ensuring there were appropriate community activities in the building and they would be accountable for covering the expenses for the caretaking, cleaning and general running costs.

A management committee would need to be a separately constituted group.

**c)** The Parish Council holds the land and the deeds for the building, then formally and legally leases the land and/or building (as a full repairing arrangement) to a separate legal entity.

The separate legal entity would be then responsible for all of the building/land up keep, maintenance, running costs and provision of the community activities.

### **Recommendations**

Parish Council is asked to agree that:

Chairman / Vice Chairman and officer(s) meet with DCC officers and Elected Members to progress the actions identified on page 1;

and,

Further enquiries are made with WRLCA re supply of documentary evidence to confirm the legalities of any potential sale.