

RECREATION GROUND, SAXILBY - MANAGEMENT

Appendix 2: Project List Document

No.	Task	Comments	Owner	Due Date	Status	Date complete
FINANCE						
4	Explore how financial transactions will operate when the charity takes back the day-to-day management.	Emailed Charity Commission 12/07/22. Response received 22/08/22 - Generic information supplied, with links to charity guidance. Further sources of guidance have been obtained ¹ . Memorandum of understanding required - JPAG P46 5.112. Bank account to be opened - custodian trustee being held on Fri 16 June to progress - Bank account in progress application completed, pending final signatures to send off by end of Aug-23. Application submitted and being assessed Oct-23. Bank account now operational.	JPG/LH	31-Dec-23	Complete	29-Nov-23
4b	Draft Memorandum of Understanding regarding financial transactions and process e.g. for payments etc	Procedure to be drafted for agreement between managing and custodian trustees - to be picked up at the next project meeting scheduled for 19 December		31-Mar-24	In progress	
5	Draft financial apportioning model for 2021/22 working with trustees	Specialist accounting/audit input commissioned. The accountant advised the previous years accounts did not need opening up or submitting to the charity commission as full accounts are not required (as the charity is under the income threshold). He noted the council had operated the land in-line with the charities objectives. It was agreed to finalise the apportioning model for public information to show costs and income on the field for 2021/22. Due date updated. JPG meeting held in August. Draft model shared with internal auditor and accountant. Meeting with accountant scheduled for September. Shared with full council to sign off draft. Then share with charity 23-11. Sent to charity 01/11/23. Charity approved model 12/11/23	JPG/LH	01-Dec-23	Complete	12/11/2023
7	Agree apportioning model	Model to be mutually agreed between charity and council. Charity approved model 12/11/23	FC	01-Dec-23	Complete	12/11/2023
8a	Previous years apportioning - 2022/23 YEAR 3			01-Dec-23		
8	Apportion 2021/22 accounts and share with trustees -- YEAR 1 YEAR 2	Working with external accountant to action. Due date updated. Scheduled for sign off 01/11/23 by FC and then will be shared with the charity. Charity approved model 12/11/23	LH/JPG	01-Dec-23	Complete	12/11/2023
9a	Previous years apportioning 2020/2021 YEAR 1	Due date updated from Dec to Mar. Accountant advice not to work back. Contacted charity trustees to see if item can be closed. Contact charity trustees to close off when send 2022/23 draft apportioning to see if still want year 1	LH	31-Dec-23		
13	Audit and log documents held in the councils archive (document management system required)	In progress, currently pending further admin resource to progress. On new Admin's task list. Initial review undertaken and in progress working to current deadline. Currently being filed. Filed - list of documents now being compiled, to be shared with council and charity	LH	31-Jan-24	In progress	
19c	Nominate or elect two more charity trustees to go back up to 4 in original indenture	On Oct Full Council - none came forward. Back on 23-12 and will go on the agenda quarterly if still spaces			In progress	
51	Rates - contact WLDC re tennis and bowls club as rates will need splitting - 31 March 22. Village hub. Can PC rates be further reduced? Charity to apply rate relief? Use link to get rateable values info	Nick - investigate rate relief - LH to look in history. Assistant Clerk to chase. Info received back from Lincoln City - need to be send further information with the different areas marked out on a map, as has to go back to valuation office. Information sent to Lincoln City 18/08/23 - response pending. Have to apply to be re-evaluated - meeting arranged 3 Nov with chair of trustees to run through form and supporting information required. Valuation Office Account. Set-up and building linked to the council. Case review being drafted including supporting information to request a splitting of rates on the field LH check status		31-Dec-23	In progress	
LEGAL - LEASES/AGREEMENTS/LICENSES						
58	Valuation received back from surveyor to charity	Surveyor working on this currently. No expected date been advised. Valuation is expected to cost £1,500+VAT.		2023/24		
59	Connected parties application/scheme made to charity commission	£660-1,800+VAT expected cost for the solicitor to do this		2024/25		

RECREATION GROUND, SAXILBY - MANAGEMENT

Appendix 2: Project List Document

No.	Task	Comments	Owner	Due Date	Status	Date complete
57a	Community Centre Lease and Charity Commission Order	Charity to work with the council to agree and implement. Charity have confirmed lease in principle 24/11/22 by letter. Valuation to come back mid to late Jan to progress. A charity commission order will be required. Pending rental valuation, an indication of the lease cost alone is £750-£1,500+VAT per lease - council to budget for this	FC	2024/25	In progress	
31a	Play Area Lease and Charity Commission Order	Valuation report due Jan 2023. Pending valuation by charity	JPG	2024/25	In progress	
31b	Wheeled Park Lease and Charity Commission Order	Valuation report due Jan 2023. Pending valuation by charity	JPG	2024/25	In progress	
31c	MUGA Lease and Charity Commission Order	Valuation report due Jan 2023. Pending valuation by charity	JPG	2024/25	In progress	
60	Leases registered with Land Registry			2024/25		
46	Retain Salvation Army Clothing Bin at the Recreation Ground	Type of agreement required TBC Emailed 16/08/23. Response received. Propose council maintain asset, with written permission to occupy to be sought from charity to satisfy council (JPAG) requirements and check if any further steps are required to meet charity law. Emailed charity 01/11/23 - bring back to full council. Chased response 29/11/23	LH	31-Jan-24	In progress	
47c	Memorial Bench	Mystery group would like council to continue to maintain the asset. Council request to maintain asset. Charity to confirm what type of agreement is required. Emailed 16/08/23. Response received. Propose council maintain asset, with written permission to occupy to be sought from charity to satisfy council (JPAG) requirements and check if any further steps are required to meet charity law. Chased response 29/11/23	LH	31-Dec-23	In progress	
61	Tennis club lease/agreement	Charity/Council as custodian trustee to progress		2024/25		
62	Bowls club lease/agreement	Charity/Council as custodian trustee to progress		2024/25		
63	Football club(s) agreement(s)	Charity/Council as custodian trustee to progress		2024/25		
64	Cricket club(s) agreement(s)	Charity/Council as custodian trustee to progress		2024/25		
65	Tennis club fourth court - who to manage?	Arrange meeting with tennis club and charity for further discussion. Council to consider position and view. Current position is it's a free to use court with the charity to maintain and covered under charity insurance. Meeting requested for Tue 5 Dec			In progress	
55	Moveable assets such as picnic tables and goals.	Licenses to be put in place TBC. Emailed 16/08/23. JPAG guidance says assets sited on non-council land remain council property and a formal lease or permission to occupy is required JPAG, 2023, para.5.175. Council request permission to occupy - play area equipment, bins, youth shelter, picnic tables, flag pole and hold on-file as documentary evidence - as required by JPAG. Any charity requirements to be confirmed at next JWG meeting. Request permission to occupy sent to charity 01/11/23. Chased 29/11/23		30-Sep-23	In progress	
11a	Contact Fields in Trust when Land Registry title has been updated and set aside agreement	Contacted for rec ground contact details to be updated to charity from April. Chased on 08/06/23 as not yet changed. Contact details now updated on FIT website. Write to FIT to set-aside error and Land Registry. Contact fields in trust - to do when updated Land Registry title documents received. FIT contacted and quote received to null the agreement. To go to FC in September for allocation of funds to progress. Deed nullification on 23-11 FC. Brought back 23-12 with legal advice obtained	LH	30-Sep-23	In progress	
53	Remove FIT from Land Registry when FIT nulled		LH		In progress	
50c	Bar outsourcing	Council previously agreed to no longer run the bar and to outsource. work on this was in progress with a tender document being at draft stage in December 2021, to complete the outsource. However, this then had to be paused due to the legal issues raised by the charity; the council is not in a position to 'sub-let' the bar long-term until it has a lease in place from the charity. The outsourcing of the bar will be re-started after the lease for community centre is received from the charity and signed by the council. In the meantime, the bar area continues to be available to hire out, for example by the sports clubs, or groups on an ad-hoc or regular basis. It is also noted that work on separating areas of the building may be required to make long-term outsourcing feasible.	LH/JPG	2024/25		

RECREATION GROUND, SAXILBY - MANAGEMENT

Appendix 2: Project List Document

No.	Task	Comments	Owner	Due Date	Status	Date complete
ASSETS						
52	Flagpole	Who to maintain TBC. Updated to £0 in asset register. Emailed charity 16/08/23. Response received. Propose council maintain asset, with written permission to occupy to be sought from charity to satisfy council (JPAG) requirements and check if any further steps are required to meet charity law. Written request for permission to occupy sent 01/11/23. Chased 29/11/23.		31-Dec-23	In progress	
53	Street lighting x 4	Who to maintain TBC. Updated to £0 in asset register - who to pay the bill? Apparently WLDC also pay the bill so need to contact electricity company - WLDC may also need a license for the street lights. Clerks to contact WLDC and electricity company to see if both been paying - WLDC could also therefore be paying the tennis club meter?? WLDC contacted to investigate and pending a reply. Chased 31/08/23. Chased 01/11/23. Bill to be moved over to the charity - may be in the custodian trustees name - emailed charity 01/11/23		31-Dec-23	In progress	
54	Old play area - swings	Who to maintain TBC. Asset register position TBC. Suggest council asset - in-line with other play equipment, therefore will remain on asset register at purchase value - propose contact charity to confirm this suggestion. Emailed charity 16/08/23. Response received. Propose council maintain asset, with written permission to occupy to be sought from charity to satisfy council (JPAG) requirements and check if any further steps are required to meet charity law. Written request for permission to occupy sent 01/11/23. Chased 29/11/23.		31-Dec-23	In progress	
57	Moving money across from 2023/24 for charity, from the council bank account into new charity account when opened	Income to be moved over to be agreed by council and charity				
58	Record officer time on charity activities, including after full handover	NEW			In progress	
59	Council to consider re-charging of custodian trustee (officer) time on charity activities - take legal advice?	NEW				
60	Information on the new councillor information on - being made aware of the council being a custodian trustee for Saxilby Recreation Ground - obtain/write information sheet	NEW				
62	Standard Operating Procedures (SOP) to be developed	NEW				
3	Comms - Monthly updates Foss Focus and social media		LH/JW	Ongoing	In progress	

¹ 4- "The custodian trustee shall concur in and perform all acts necessary to enable the managing trustees to exercise their powers of management or any other power or discretion vested in them (including the power to pay money or securities into court), unless the matter in which he is requested to concur is a breach of trust, or involves a personal liability upon him in respect of calls or otherwise, but, unless he so concurs, the custodian trustee shall not be liable for any act or default on the part of the business of the managing trustees or any of them: All sums payable to or out of the income or capital of the trust property shall be paid to or by the custodian trustee: Provided that the custodian trustee may allow the dividends and other income derived from the trust property to be paid to the managing trustees or to such person as they direct, or into such bank to the credit of such person as they may direct, and in such case shall be exonerated from seeing to the application thereof and shall not be answerable for any loss or misapplication thereof" - Public Trustee Act 1906 s2 para. 4 (2d-e).

https://www.ndcs.org.uk/media/2083/bba_charity_banking_guide_ae250.pdf.

<https://www.gov.uk/government/publications/internal-financial-controls-for-charities-cc8/internal-financial-controls-for-charities>

<https://www.ncvo.org.uk/help-and-guidance/running-a-charity/financial-management/banking-for-charities/#/>

<https://www.gov.uk/government/publications/charities-holding-moving-and-receiving-funds-safely>. - Where practicable bank mandates should require two signatures, one of which being that of a trustee, dual signatories on electronic banking