

**14 March 2017**

**Policy, Finance & Resources Committee**

**Herongate Village Hall**

**Report of:** *Steve Summers, Group Manager In-House Services*

**Wards Affected:** *All*

**This report is:** *Public*

**1. Executive Summary**

- 1.1 This report requests the approval of the committee to enable officers to explore the various options for the future of Herongate Village Hall.
- 1.2 This is a long standing matter involving Charity Law. The hall is in a bad state of repair and the Council is the Custodian Trustee and there are no other living trustees in place.
- 1.3 Discussions have been on going with interested parties regarding possible funding to assist with any possible future option for the hall.

**2. Recommendation(s)**

- 2.1 Approves that Officers explore the various options for the future of Herongate Village Hall.**
- 2.2 That discussions are undertaken with the Parish Council to enable them to engage in and inform the possible options.**
- 2.3 That delegated authority be given to the Section 151 Officer, in consultation with the Leader of the Council, to determine which option is the most appropriate.**

**3. Introduction and Background**

- 3.1 Herongate Village Hall is currently in a bad state of repair and options need to be considered and determined regarding its future.

**4. Issue, Options and Analysis of Options**

- 4.1 The Council is the Custodian Trustee, and the Charity Commission have indicated that the Commission is prepared to make an order under the

Charities Act Section 80 to appoint the Council sole Trustee in the absence of any other living trustees.

- 4.2 There are a number of options which need to be examined and reviewed to determine the best approach for the future of the hall. These include demolition, renovation, alternative use or offer the charity to the parish council.
- 4.3 There is no money in the Trust therefore as part of the review there needs to be a consideration of how any funding can be determined as part of the various options.
- 4.4 The Council will need to engage with the Parish Council to gain their views and involvement on the possible options for the hall.
- 4.5 Ahead of any formal legal consultation there would need to be a consultation to gain the views of local residents.

## **5. Reasons for Recommendation**

- 5.1 To enable the Council to deliver effective and efficient community services for the benefit of the Council and its residents.

## **6. Consultation**

- 6.1 No formal consultation has been undertaken at this stage however dependent on the option agreed there may be a legal need for a public consultation.

## **7. References to Corporate Plan**

- 7.1 The New Ways of Working Programme seeks to ensure the Council is making the most efficient use of its resources.

## **8. Implications**

### **Financial Implications**

**Name & Title:** John Chance, Finance Director

**Tel & Email:** 01277 312712/ john.chance@brentwood.gov.uk

- 8.1 The financial implications of this decision remain unknown at this stage but the imperative still applies to any decision made on the future of the hall to achieve maximum value for money and to act in the best interest of the Council.

**Legal Implications**

**Name & Title:** Daniel Toohey, Monitoring Officer

**Tel & Email:** 01277 312860/ daniel.toohey@brentwood.gov.uk

- 8.2 The Council as custodian trustee bears the responsibility of fiduciary duties in relation to trust assets, of which the Hall is the principal item. Accordingly it is important that the Council consider appropriate management of the Hall going forward, and more generally, the Council's proposed ongoing role with the trust.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

- 8.3 None

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)  
None.

10. **Appendices to this report**  
None.

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