

North Petherton Playing Fields Charitable Trust

*Town Council Office
Small Hall
North Petherton Community Centre
Fore Street
North Petherton
Somerset
TA6 6QA
Tel 01278 574074
Email joy.norris@northpethertontowncouncil.gov.uk*

Annual General Meeting

The Annual General Meeting of the Trust will take place on Monday 22nd July 2024 at 7.15pm in the Small Hall, Fore Street, North Petherton TA6 6QA

Members of the public may attend the meeting and may speak at the discretion of the Chair during the agenda item called Community Time, but they may not vote on any resolutions proposed at the meeting unless the Council decides that such a resolution is to be put to a public vote.

- 1. Apologies for absence**
- 2. Declarations of interests**
- 3. Minutes**
- 4. Community Time**
- 5. Finance**
 - (i) The statements of account will be presented for approval
 - (ii) To note the 24/25 budget
- 6. Banking Arrangements**
 - (i) To consider moving the Trust bank accounts from Nat West Bank to the Unity Trust Bank (in line with the Town Council's banking arrangements)
 - (ii) To agree the bank signatories for the Trust bank accounts
- 7. Constitution**

To review the constitution; this item was originally deferred from the Trust meeting on 17 July 2023.

8. Management Committee Terms Of Reference

To agree terms of reference for the Management Committee.

9. Management Committee Membership

To appoint the community members of the management committee, the Constitution states *"Up to 5 members representing the community"*

10. General Reports on Parker's Field and the Memorial Park

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Trust Meeting

1. **Apologies for absence.**
Apologies for absence were received from Councillors Bradford, Brown and Spelman-Ives
2. **Declarations of interests**
There were no declarations of interest.
3. **Minutes of the Meeting held on 17 July 2023**
RESOLVED that the draft minutes of the meeting held on 17 July 2023 be confirmed as a correct record.
4. **Community Time**
No matters were raised.
5. **Financial Matters** - To consider items for payment.
The outstanding invoice from 2022/23 for £12,912 to re-imburse the Town Council for work done on behalf of the Trust had been approved at the Trust meeting on 17 July 2023 but had not been paid due to changes in the Management Committee and the banking requirements.
The meeting confirmed that the payment should now be made.
6. **Management Committee –**
 - (i) to appoint 3 Councillors to sit on the Management Committee
 - (ii) To nominate one of the 3 Councillors appointed to the Management Committee as Chair of the Management Committee

RESOLVED

 - (i) That the 3 Councillors nominated to sit on the Management Committee are Louise Dennis, Linda Hyde and Simon Sharman.
 - (ii) That Councillor Linda Hyde is nominated as Chair of the Management Committee.

7. Date of Annual General Meeting

RESOLVED that the Trust Annual General Meeting be held on 22 July 2024

The meeting closed at 19:46hrs

DRAFT

Agenda No 5, Finance

1. The Statement of Accounts for 23/24 is appended to this report. As there were no Trust or Management Committee meeting during the year there has been no financial transactions.
2. If the financial transactions pertaining to the Trust had been undertaken in the year the account would be in deficit by £384.28. In practice the account would have been managed so that the grants from the Town Council would have been paid in before the annual invoice was paid so the account would not have been overdrawn.
3. The grant from NPTC for 24/25 is budgeted as £15,600, based on 23/24 this will not cover the general maintenance costs (the invoice for 23/24 is expected to be approx £16,725)
4. Potential expenditure during 24/25 includes:
 - Repairs to the Titan £5,000
 - Notices £1,075
 - Hedges & Ditches £300
 - Parker's Field Car Park Surface - not known estimate £6,000 -£10,000

North Petherton PPlaying Fields Charitable Trust

Statement ofAccounts 2023/2024

		Receipts		Payments	
Opening balance as at 1 April 2023	£14,252.84				
		£0.00		£0.00	
Closing balance as at 31 March 2024	£14,252.84				
Commitments					
NPTC payment for 22/23 services (invoice 123 paid 05.07.2024)	£12,912.12				
RLT repayment	£793.00				
NPTC payment for 23/24 services (invoice not yet received)	£16,725.00				
Total committed expenditure	£30,430.12				
Income owed					
NPTC Grant 23/24 (receieved 11.06.24)	£15,000.00				
RLT	£793.00				
Total income owed	£15,793.00				
(i) Taking into account the expenditure comitments and income owed there is an operating deficit for 23/24 of £384.28					

North Petherton Playing Fields Charitable Trust

Draft Revisions 2024 (for consideration at the 2024 AGM)

The Trust

1. The North Petherton Playing Fields Charitable Trust, registered charity number 304595 (the "Trust"), is the freehold owner of the land known as Parkersfield Playing Field, North Petherton, Somerset, registered at the Land Registry under title number ST286521 ("Parkersfield"), and the land known as Memorial Playing Field, North Petherton, Somerset ("Memorial", and both Parkersfield and Memorial are jointly referred to as the "Playing Fields").
2. The Trust's governing document is a declaration of trust dated 13 July 1957 as amended by a scheme dated 17 November 1998 and by this Constitution. The Trust was registered as a charity on 22 April 1963. Its name was changed to the North Petherton Playing Fields Charitable Trust on 15 December 2009.

Objects

3. The objects of the Trust (the "Objects") are to administer the Playing Fields for use as recreation grounds and for other ancillary uses for the benefit of the inhabitants of the civil parish of North Petherton (the "Parish") in such manner as the Trust shall from time to time think fit.

Trustee

4. The sole managing corporate trustee of the Trust shall be North Petherton Town Council (the "Council").

Powers

5. In addition to any other powers it has, the Council may exercise any of the following powers in order to further the Objects:
 - a. to raise funds. In exercising this power, the Council must not undertake any taxable permanent trading activity and must comply with any relevant statutory regulations;
 - b. to invest the Trust's funds in line with the Council's investment policy
 - b.c. to buy, take on lease or in exchange, hire or otherwise acquire property and to maintain and equip it for use;
 - e.d. subject to clause 3129, to sell, lease or otherwise dispose of all or any part of the property belonging to the Trust. In exercising this power, the Council must comply as appropriate with sections 36 and 37 of the Charities Act 1993, as amended by the Charities Act 1996;
 - d.e. to borrow money and to charge the whole or any part of the property belonging to the Trust as security for repayment of the money borrowed. The Council must comply as appropriate with sections 38 and 39 of the Charities Act 2006, if they wish to mortgage land owned by the Trust;
 - e.f. to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
 - f.g. to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the objects;
 - g.h. to create such advisory committees as the Council thinks fit;
 - h.i. to employ and remunerate such staff as are necessary for carrying out the work of the Trust;
 - i.j. to do any other lawful thing that is necessary or desirable for the achievement of the objects.
6. Nothing in this Constitution restricts or excludes the exercise by the Council of the powers given by the Trustee Act 2000 as regards investment, the acquisition or disposal of land and the employment of agents, nominees and custodians.
7. The Council, acting as the Trustee shall determine:
 - a. the terms and conditions on which the Playing Fields may be used for recreation and the sums (if any) to be paid for such use;

- b. the appointment of such unpaid officers as it may consider necessary, and the fixing of their respective terms of office;
 - c. the engagement and dismissal of such paid officers and servants of the Trust as it may consider necessary;
 - d. an annual budget for the Trust;
 - e. all capital expenditure on the Playing Fields, defined as expenditure on any single item costing in excess of £1,000; and
 - f. any policies which it shall consider necessary for the efficient management of the Playing Fields, including a policy relating to the assessment and management of risk.
8. In exercising its powers under this Constitution the Council shall follow its usual procedures as set down by statute and in its standing orders.

9. The Mayor shall be considered to be the Chair of the Trust and the Deputy Mayor shall be considered as the Deputy Chair of the Trust

9.10. The Council may delegate the day-to-day management of the Playing Fields to the Management Committee (see below), save that the matters referred to in clause 7 shall always be decided by the Council.

Duty of Care

10.11. When exercising any power (whether given to them by this Constitution, or by statute, or by any rule of law) in administering or managing the Trust, the Council must use the level of care and skill that is reasonable in the circumstances, taking into account any special knowledge or experience that it has or claims to have (the "Duty of Care").

11.12. Neither the Council nor anyone exercising powers or responsibilities that have been exercised by the Council shall be liable for any act or failure to act unless, in acting or in failing to act, they have failed to discharge the Duty of Care.

Annual General Meeting

12.13. The Council shall convene an Annual General Meeting to be held each year. The Council shall give no less than fourteen days' notice of the Annual General Meeting, to be affixed at some conspicuous point at each of the Playing Fields and at such other conspicuous places in the Area as the Council shall determine, this may include publication on the Council's website.

13.14. The Annual General Meeting shall be a meeting of the Council and shall follow the Council's usual procedures as set down by statute and in its Standing Orders. Members of the public may attend the meeting and may speak at the discretion of the Chair, but they may not vote on any resolutions proposed at the meeting unless the Council decides that such a resolution is to be put to a public vote.

14.15. The Annual General Meeting shall receive the Trust's Annual Report and statements of account and nominations for membership of the Management Committee as set out below.

Management Committee

15.16. There shall be a Management Committee (the "Management Committee"), which shall manage the day-to-day business of the Trust. The members of the Management Committee shall be as follows:

a. The Chair and Deputy Chair of the Trust (ex officio members)

a.b. three members of the Council ("Councillors"), nominated by the Council, of whom the Council shall nominate one to be the Chairman of the Management Committee;

b.c. Up to 5 members representing the community

16.17. The Management Committee may, if it so chooses, co-opt up to two additional members at its discretion. Such co-opted members may represent other local sports clubs, and shall serve until the next Annual General Meeting of the Trust.

17.18. The Clerk to the Council shall be the Secretary of the Management Committee but may delegate any or all of the associated tasks.

18.19. An initial list of community members shall be prepared by the Clerk in consultation with the Chairman, for consideration at the Annual General Meeting. Further nominations can be proposed at the

meeting. All duly appointed members shall serve from the end of that Annual General Meeting until the following Annual General Meeting.

~~19-20.~~ If a casual vacancy arises in the Management Committee, it shall be filled by ~~the preparation of an initial list of community compiled by the Clerk in consultation with the Chairman and then the person to be co-opted will be appointed by the Council meeting as the Trust nomination by the body entitled to nominate a member to the position that has become vacant.~~ The person so nominated shall serve until the next Annual General Meeting.

~~20-21.~~ The Management Committee shall have power to determine its own rules of procedure, subject to any directions given by the Council.

Financial matters and compliance

~~22.~~ The Trust shall maintain a bank account at such bank as the Council may determine (the "Account")
The bank signatories will be at least two Councillors as agreed by Council. The Trust Secretary will be the nominated contact for the bank account.

~~21-23.~~ All payments for the use of the Playing Fields and all donations for the benefit of the Playing Fields shall be paid into an account designated by the Trust and held in the name of the Trust, at National Westminster Bank plc at Cornhill, Bridgwater, Somerset, or at such other bank as the Council may determine (the "Account").

~~22-24.~~ The Council shall apply the funds standing to the credit of the Account solely to furthering the Objects. In particular, it may apply those funds to maintaining, repairing and insuring the Playing Fields and any buildings and effects thereon, to paying rent, rates, taxes, salaries, wages and other outgoings, to providing equipment and means of recreation, and otherwise for the maintenance and improvement of the Playing Fields.

~~23-25.~~ The Council may be reimbursed out of the property of the Trust or may pay out of such property reasonable expenses properly incurred by the Council when acting on behalf of the Trust.

~~24-26.~~ The Council must comply with its obligations under the Charities Act 1993, as amended by the Charities Act 2006, with regard to:

- a. the keeping of accounting records for the Trust;
- b. the preparation of annual statements of account for the Trust;
- c. the auditing or independent examination of the statements of account of the Trust;
- d. the transmission of the statements of account of the Trust to the Charity Commission (the "Commission");
- e. the preparation of an Annual Report and its transmission to the Commission; and
- f. the preparation of an Annual Return and its transmission to the Commission.

Repair and insurance; expenses

~~25-27.~~ The Council must keep in repair and insure to their full value against fire and other usual risks all the buildings of the Trust (except those buildings that are required to be kept in repair and insured by a tenant). It must also insure suitably in respect of public liability and employer's liability.

~~26-28.~~ The Council may use the Trust's funds to meet any necessary and reasonable expenses which it incurs in the course of carrying out its responsibilities as trustee of the Trust.

Amendment of this Constitution

~~27-29.~~ The Council may amend the provisions of this Constitution, provided that:

- a. no amendment may be made to clause 3 (Objects), clause ~~1140~~, clause ~~1244~~ (Duty of care and extent of liability), clause ~~22-24~~ (Application of income and property), clause ~~29 31~~ (Discontinuance of use), clause ~~34-33~~ (Dissolution) or this clause without the prior consent in writing of the Commission;
- b. no amendment may be made to clause ~~29-31~~ (Discontinuance of use) that has not been confirmed by a majority of persons present and voting at a public meeting called in accordance with the provisions of that clause, or at an Annual General Meeting;
- c. no amendment may be made that would have the effect of making the Trust cease to be a charity at law; and

- d. no amendment may be made to alter the Objects if the change would undermine or work against the previous objects of the Trust.

28-30. The Council must:

- a. send to the Commission a copy of any amendment made under clause 27-29 within three months of its being made; and
- b. keep a copy of any such amendment with this constitution.

Discontinuance of use

29-31. If at any time the Council shall decide that, on the ground of expense or otherwise, it is necessary or advisable to discontinue the use of the Playing Fields or associated asset in whole or in part for the purposes set out in this Constitution, it shall call a meeting of all persons over the age of eighteen years in the Parish. Notice of such a meeting shall be given not less than twenty-one days previously by being posted at some conspicuous point at each of the Playing Fields and at such other conspicuous places in the Parish as the Council shall determine, and by being advertised on the Town Council's website in a newspaper circulating in the Parish. The notice shall include the terms of the resolution which is to be proposed at the meeting. If the Council's decision is confirmed by a majority of persons present and voting at the meeting, the Council shall implement the resolution as soon as practicable thereafter.

30-32. The Council shall dispose of any Playing Field or associated asset no longer required or of any part thereof at market value in accordance with the provisions of the relevant Charities Acts -(1993 and 2006).

Dissolution

31-33. If both Playing Fields shall have been disposed of in the manner set out above, the Council may dissolve the Trust. Any assets of the Trust that are left after the Trust's debts have been paid (the "Net Assets") must be given:

- a. to another charity (or other charities) with objects that are the same or similar to the Trust's own, for the general purposes of the recipient charity (or charities); or
- b. to any charity for use for particular purposes which fall within the Trust's objects.

32-34. The Commission must be notified promptly that the Trust has been dissolved and, if the Council was obliged to send the Trust's accounts to the Commission for the accounting period which ended before its dissolution, they must send to the Commission the Trust's final accounts.

~~This revised Constitution was adopted by the Trustees of the North Petherton Playing Fields Charitable Trust this 20th day of November 2012.~~

Signed by

(signed) Kenneth Wassell (Secretary)

(signed) Frank Clegg (Chairman)

~~duly authorised by the Trust to sign on its behalf.~~

Address: c/o The Clerk to North Petherton Town Council
5 Acland Round
Gifford St. Luke
Taunton
TA4 1JL

North Petherton Playing Fields Charitable Trust Management Committee Terms of Reference

These Terms of Reference should be read in conjunction with the Trust's Constitution

Members: Chair and Deputy Chair of the Trust (ex officio)
3 Town Councillors
Up to 5 people representing the community
Up to 2 people co-opted by the Management Committee

Frequency of Meetings: As and when requested by the Management Committee Chair

Open to the Press and Public; No

Quorum: 3 Management Committee members

Reports to: The Town Council acting as North Petherton Playing Fields Trust

Overall Purpose / Scope: To manage the day to day business of the Trust

Outputs: Recommendations to the Trust on major items of expenditure
Recommendations to the Trust regarding planned activities and events
Guidance to the Clerk / Secretary regarding maintenance

Specific Responsibilities

- i. To commission, via the Clerk / Secretary, an annual play inspection of all play equipment by a suitable qualified inspector, to review the findings and make recommendations to the Trust regarding any works suggested by the inspector.
- ii. To review the provision of play equipment at Parker's Field and the Memorial Park and make recommendations to the Trust regarding replacements and new items
- iii. To review the provision of items such as seats, litter bins and notices at Parker's Field and the Memorial Park and make recommendations to the Clerk / Secretary and the Trust regarding replacements and new items.
- iv. To make recommendations to the Trust regarding activities and events to be held in Parker's Field and the Memorial Park
- v. To ensure that in respect of the Management Committee's work, decisions and activities that full and proper consideration is given to the likely effect on crime and disorder and the need for prevention (Crime & Disorder Act 1998 S17)
- vi. To ensure that in respect of the Management Committee's work, decisions and activities that full and proper consideration is given to the Council's duty to promote equality and diversity
- vii. To ensure that in respect of the Management Committee's work, decisions and activities that full and proper consideration is given to environmental impact and sustainability
- viii. To ensure that in respect of the Management Committee's work, decisions and activities that full and proper consideration is given to health and safety
- ix. To ensure that in respect of the Management Committee's work, decisions and activities that full and proper consideration is given to obtaining and delivering value for money.

Agenda 10, General Report

Play Inspections

Regular inspections are undertaken by the contractor. An annual inspection has been commissioned with the Play Inspection Company and this will be carried out in August.

Hedges and Ditches

Somerset Council Clean Surroundings were given a Purchase order in Autumn 2023 to cut the hedges in both Parker's Field and the Memorial Park and also clear the ditches Parker's Field. Due to the very wet winter this work was not done as the machinery used is heavy and may have caused severe damage to the ground and risked the equipment getting stuck. The purchase order still stands and Clean Surrounds have been asked to make sure the work is undertaken as soon as possible.

Parking

The Town Council has supported a request for additional double yellow lines near The Beeches as parked vehicles are severely restricting visibility for people accessing Newton Road especially from the small residential lane. This request has been forwarded to Somerset Council for their consideration as the highway authority. The car park surface at Parker's Field is in need of repair and prices for this will be sought in late summer / early autumn.

Titan (Memorial Park)

This piece of play equipment was taken out of use in April 2023 for safety reasons when a member of the public reported that the main supporting column was moving in the ground. The supplier of the equipment was contacted and did an inspection and confirmed that the equipment should not be used as there was significant movement, the remedial work would be to remove the column and the existing concrete base and construct a new base the cost being approx. £5,000 as it was out of guarantee.

The Town Council has tried, without success, to get the supplier to accept some responsibility for the fault and reduce the cost.

An independent play installer has been approached but has said the job is too big for them to tackle.

The advice of the play inspector will be sought during the annual inspection.

Tennis Courts (Parker's Field)

The tennis courts are due to be tidied and weeded week commencing 22 July.

Signs (Parker's Field)

A price has been obtained to replace the existing, damaged sign at the Broadlands entrance and install a new sign by the car park. The details are attached to this report. **The Trust's instructions regarding these purchases is requested.**

Administration

Trust AGM
22 July 2024

Following the AGM, the first point of contact for general administration for the Trust, the Management Committee and day to day maintenance matters will be the Town Council's Admin Assistant Mrs Amanda Young. The phone details remain unchanged 01278 574074 and the email address for any initial question or reporting damage etc is enquiries@northpethertontowncouncil.gov.uk

joy.norris@northpethertontowncouncil.gov.uk

From: Julian Hocking <blakesigns@btconnect.com>
Sent: 12 July 2024 09:33
To: joy.norris@northpethertontowncouncil.gov.uk
Subject: Re: Parker's Field sign at Entrance
Attachments: Parkersfield sign 2024.pdf; Parkersfield mockup.pdf; Parkersfield sign 2024 new alum and posts.pdf

Hi Joy

This is the original Parkersfield sign, I have updated it with new contact information, do you want to keep this design?

Option 1 : Two new signs 1220nx 915mm Aluminium composite with laminated print fixed to the existing posts and fencing.

Total = £325.00

Option 2 : Remove existing sign and wooden support, supply and install new aluminium posts and plate & rail aluminium signs x2

Total = £1075.00

All prices plus VAT

Kind regards

Julian Hocking
Blake Signs

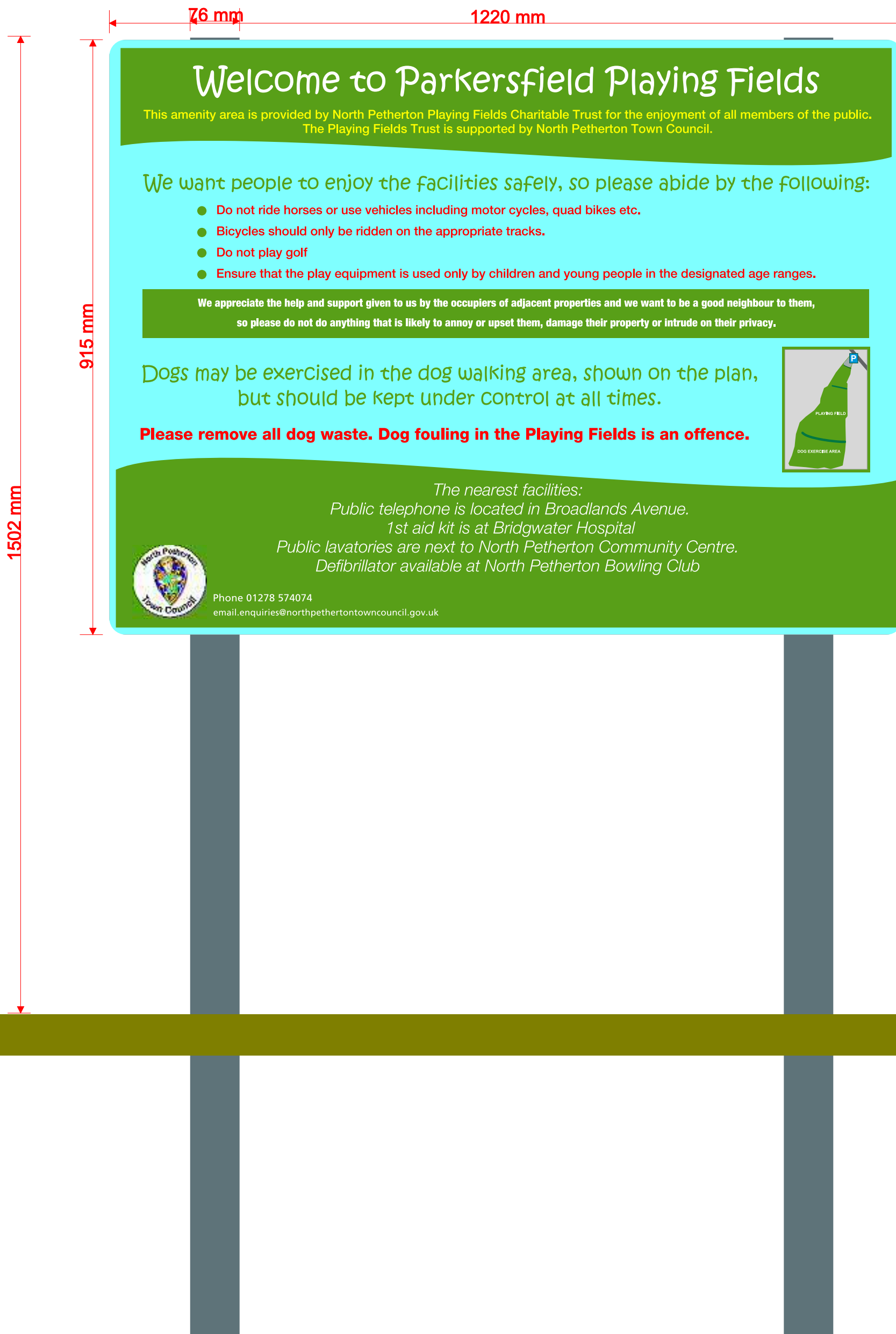
Kind regards

Julian Hocking
Blake Signs



01278 663124
0777 156 1695

blakesigns@btconnect.com
www.blakesigns.co.uk
45 Farringdon, N.Petherton. TA6 6PF



1220mm

915mm

Welcome to Parkersfield Playing Fields

This amenity area is provided by North Petherton Playing Fields Charitable Trust for the enjoyment of all members of the public.
The Playing Fields Trust is supported by North Petherton Town Council.

We want people to enjoy the facilities safely, so please abide by the following:

- Do not ride horses or use vehicles including motor cycles, quad bikes etc.
- Bicycles should only be ridden on the appropriate tracks.
- Do not play golf
- Ensure that the play equipment is used only by children and young people in the designated age ranges.

We appreciate the help and support given to us by the occupiers of adjacent properties and we want to be a good neighbour to them,
so please do not do anything that is likely to annoy or upset them, damage their property or intrude on their privacy.

Dogs may be exercised in the dog walking area, shown on the plan,
but should be kept under control at all times.

Please remove all dog waste. Dog fouling in the Playing Fields is an offence.



The nearest facilities:

Public telephone is located in Broadlands Avenue.

1st aid kit is at Bridgwater Hospital

Public lavatories are next to North Petherton Community Centre.

Defibrillator available at North Petherton Bowling Club



Phone 01278 574074

email.enquiries@northpethertontowncouncil.gov.uk

BLAKE
signs

design
manufacture
install

01278 663124

0777 156 1695

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45 Farringdon, N.Petherton. TA6 6PF

North Petherton Playing field signs July 2024