



DOLPHINS HALL MANAGEMENT COMMITTEE

New Church Street, Tetbury, GL8 8DS

Charity Number: 274956



DOLPHINS RECREATION CENTRE AGM

Wednesday 4th May, 2022

Trustees Present
Darby Law
Steve Scott
Jamie Ponting
Patricia Burrell
Alex Ball
Stephen Knight
Paul Jones
David Hobson

Chairman's Report

Chairman Steve Scott gave a report of Trust activities since the last AGM was held in 2019. In response there was one question from the community membership on whether it was possible for the Trust to claim back legal expenses incurred in relation to resolving the dispute around ownership of the part of the Recreation Ground known as Plot 8. The Chairman noted that there was no avenue to recoup legal expenses from Tetbury Town Council

Project Report

Jamie Ponting gave a report on the status of the Youth and Sports Complex and Community Hall building project. There were no questions from the floor

Recreation Ground Report

Paul Jones gave an update on the status and activities in relation to the upkeep of the Recreation Ground. There were no questions from the floor

2021/2022 Accounts

Steve Scott presented the accounts for 2021/2022. There were several following questions from the membership:

- What the headings of the various sections meant
 - Steve Scott gave an overview of the meaning of the accounts headings
- A comment related to the £265,000 spent so far on the new build and that it seemed high for the stage of the build at the current point



DOLPHINS HALL MANAGEMENT COMMITTEE

New Church Street, Tetbury, GL8 8DS

Charity Number: 274956



- Steve Scott and Jamie Ponting explained that the cost is representative of what has been built so far, with a portion also spent as a deposit on cladding which is arriving in June. It was noted that the steel alone represents £100,000 and that the cost of building materials in general has increased greatly since the time of the last AGM due to factors such as COVID, war in Ukraine (who are a major steel producer) and general global economic factors leading to inflation in all goods and services.
- There was a question on whether the Trust had the funds to cover the Phase 1 build
 - Jamie Ponting reported that Phase 1 was covered with around £250,000 in S106 money still held by Tetbury Town Council that is being drawn down upon as invoices come in. There is also Sports England funding that the Trust has not drawn down on yet. Steve Scott noted that there are several funds and grants, including the Sports England, that the Trust can tap into however the conditions of these grants always state that the money must be used within 6 months. With delays in acquiring materials that are outside anyone's control, the Trust is waiting until it is confident that work can begin right away before formally applying for this funding. Steve Scott also noted that the Trust has also said from the outset of the project that the community of Tetbury will also need to pull together to raise funds to finish Phase 2, the Community Hall

Proposal to Become a Charitable Incorporated Organisation (CIO)

Alex Ball gave a presentation on the Trust's desire to become a CIO, what this meant, the process to be followed and what would change and not change as a result of becoming a CIO. There were several questions and comments from membership:

- A question about what would happen to the Trustee places currently taken by nominees from user groups of the Hall and Recreation Ground
 - Steve Scott read out a list of user groups from the existing constitution, noting which were now defunct or not eligible to nominate a Trustee due to not using the facilities any longer, which had representatives on the board of Trustees and which were eligible to have representatives but have not currently put one forward. He explained that all user groups of the Hall or Recreation Ground were eligible to nominate a representative as a Trustee and the move to a CIO would not change this, nor the ability for the community to vote in resident Trustees
- There was a request that the current constitution and proposed draft constitution be published for Tetbury residents to comment and feedback on *before* a vote took place on whether to send it to the Charity Commission and that it be widely advertised for those townspeople who do not use the Internet by putting a notice in the Wilts & Glos and putting copies in the Library and Council Offices, giving people at least 30 days to review.
 - Jamie Ponting and Steve Scott noted that the proposed Constitution is a standard Charity Commission template that modernises the current format by going in to more details; for instance the current Constitution is a total of 5 pages and the proposed one is 29 pages; the current Constitution has one line regarding AGMs whereas the proposed one has 1.5 pages and goes into details about requirements and best practice around running AGMs. The current Constitution is so old that it has several points in it which are no longer legal. It was noted that some parts of the existing Constitution would be incorporated into the proposed new one where they benefited the community, such as retaining the rule that the Trust cannot dispose of any land without first having a vote on it by the people of Tetbury.
 - It was explained that the proposed new Constitution and becoming a CIO does not change the nature or purpose of the charity Trust - its purpose is to modernise the regulations and best practice, give oversight of the Trust to the Charity Commission and to remove the major negative



DOLPHINS HALL MANAGEMENT COMMITTEE

New Church Street, Tetbury, GL8 8DS

Charity Number: 274956



aspect of a non-incorporated Trust which is that the Trustees are individually and personally financially liable for anything that goes wrong with no limitation which is a large deterrent to anyone who would like to become a Trustee but does not want to risk the possibility that they *could* be personally bankrupted.

- Despite 2 of the membership requesting that a vote to put the proposed Constitution be put back to the next AGM (after it was confirmed that the Trust's current Constitution prohibited the calling of EGMs) to give the town a chance to review and compare the two documents, the desire to hold the vote right away by others of the membership outweighed the desire not to.
- A vote was therefore held on whether to present the proposed draft Constitution to the Charity Commission and begin the process to become a CIO. The vote was passed with the following:
 - FOR - 26
 - AGAINST - 0
 - ABSTAINED - 7
- It was noted that the Trust would publicise the move to CIO and publish the two documents on its website as well as putting copies in the Library and Town Council offices in order to gain feedback from the town

Voting in of Trustees

A reminder of the role of Trustees was briefly gone over and the common activities undertaken. Steve Scott explained that **all** resident Trustees were up for election at the AGM and there had been 4 nominees which were:

1. Steve Scott
2. Jamie Ponting
3. Paul Jones
4. Alex Ball

Membership on the floor were then asked if anyone else would like to put themselves forward for election. Following no requests to stand as a resident Trustee, Steve Scott, Jamie Ponting, Paul Jones and Alex Ball were appointed as Resident Trustees for another term.

GENERAL QUESTIONS

A final question from the membership was received asking if it were possible to police dog owners keeping their dogs on a lead in the Recreation Ground. The Trust noted that it was hard to police since that required Trustees to be there at the time to physically witness dogs off lead. It was noted that there were signs on both main entrances but more signs would be acquired. As a follow-up it was requested that, if keeping dogs on leads cannot be policed, could the Trust put a locking mechanism on the gate to the children's playground area to prevent dogs entering. Darby Law noted that the gate did have a locking mechanism, however parents have led to it being broken twice by popping the lock open in order to allow children to run to and from the area freely.