

Victory Hall.

THE VICTORY HALL
BROUGHTON-IN-FURNESS

The Victory Hall (VH) is a Registered Charity. (Number 521052)

A scheme of arrangement approved by the Charity Commissioners on the 4th August 1998 defined a modus operandi for the management of the charity, and for the operation of the hall.

It provided for two types of trustees.

The Duddon Parish Council (DPC) to be the Holding Trustees of the charity, (as owners of the land and buildings). Their Trusteeship to be as a body corporate.

A separate (mainly) elected Management Committee (VHMC) to be the Managing Trustees of the charity, to run the hall on a day-to-day basis.

Currently DPC are registered for VAT but the VH itself is not. It would not be advantageous to change this arrangement.

For purpose of clarity in adherence to VAT regulations and to define responsibility for the bearing of cost expenditure, both DPC and VHMC believe that there is a necessity to set out and agree to a schedule of cost headings which shows the liability of each of the two bodies,

In simple terms it is suggested that DPC should become responsible for the costs of repair, servicing, replacement, and certification of:

Boiler & Heating systems
Fire Extinguishers, sprinklers, alarm & emergency lighting systems
Lifts - passenger and goods
Hard Flooring
External Fabric
External Redecoration
Roofs
Lighting ring-main, three phase but not stage or gantry lighting

All other costs, being approx 85% of the total of the 2010 budget, remain with The VHMC.

The above is in line with the responsibilities that would apply in a standard Landlord and Tenant arrangement.

It is further suggested that with immediate effect, after approval of a resolution, that this division should be used to ratify the present arrangements that are in force with regard to the reclaiming of VAT. (As well as from 1st April 2011 being used to establish the liability for the bearing of cost).

It is further recognised that the VHMC will advise suppliers and contractors who are carrying out work in the nature of the list above that each contract, quote, estimate and invoice should be in the name of The Duddon Parish Council and be addressed for the attention of the Clerk.

The Chairman of the VHMC or his appointed deputy agrees not to commission any work in the nature of the list above without first informing the Chairperson of The DPC or the appointed deputy, and gaining approval. Except where the work is of an emergency nature and delay would cause additional damage or cost.

At the end of each financial year (31st December) the VH has to prepare an Income and Expenditure Account showing a surplus or deficit arising from its operation in that year. This is presented to the AGM, usually held by the 31st March of the year following.

It is further proposed that should the VH have returned a surplus of Income over Expenditure that is in excess of £2000 then the sum above £2000 be placed into a Specific Reserve Account, held in the name of the VH and used to re-imburse DPC for expenditure on items in the nature of the list above in subsequent years.

In the event of approval to a resolution presented to the DPC this document will be passed to Thomas Butler and Sons – Solicitors - for comment or alteration to wording to give legal effect, but without change to the intent.

Also to advise whether this document should be in the nature of an Agreement or simply as a Memorandum of Understanding.

15th September 2010