

# Wing Parish Council Meeting

Your attendance is requested to attend a meeting of Wing Parish Council on  
Wednesday 27<sup>th</sup> July 2016 at 7.30pm in Wing Village Hall

## Agenda

- 1 Attendance Register
2. Apologies for Absence
3. Declarations of Pecuniary Interest
4. To approve the minutes of the meeting held on Wednesday 25<sup>th</sup> May 2016
5. Clerk and Councillor's reports
- 6, Democratic ten minutes. An opportunity for members of the public to speak
7. To receive confirmation from Daltons Solicitors that the title for the allotments has been registered. Title will become absolute in twelve years providing it is not contested.
8. Accounts circulated with the agenda.
9. To consider action relating to the damage to trees, verges and vegetation in the Old Hall, Top Street.
10. Consider the inspection report from The Play Inspection Company Ltd.
11. To consider undertaking a Wing Neighbourhood Plan
12. To receive the minutes and accounts of the Village Hall management committee and consider resulting actions
13. To consider the following suggestions from a Wing resident:
  - a. At present, the PC notice board is attached to the side of what is my sister's house. The house is likely to be sold later in the year and I think it is time the box is re-sited. My suggestion would be to attach it to the outside wall of the bus shelter that is opposite to Cuckoo Cottage. - I have measured box and wall and there is room.
  - b. A few years ago I contacted the RCC regarding the litter bins and they did update them and added an extra one. I recently contacted them again on the same subject and they tell me that they have to hear from the PC rather than an individual. Around where I live there are 4 bins one of which is attached on the wall next to the PC box. A litter bin is desperately needed near the bus shelter on Morcott road so it could be re-sited there? When the Hogarths lived in the village Richard put a dustbin near the maze and used to empty it. Since he left no-one has been emptying until recently when Ros King has done it. I think the council ought to replace the dustbin with a litter bin and be responsible for emptying it.

c. Cutting of the grass verges. Not sure if councillors have noticed how the grass has been hacked this year but after it has been cut it looks a mess. Parts are missed and this is not just where bulbs have grown. The lads who do it just seem to want to get the hacking done as quickly as possible and have no pride in the job at all! Last time it was done the mower went past our house with one lad hanging on the back one handed whilst holding the blower in the other hand to clear the clippings off the road! Health and Safety???

d. I have been searching to see if I could find who to contact in order to move the mail box, that is by the PC notice board, but have drawn a blank have you any suggestions?

14. To consider the anomalies arising Community centre insurance and Council insurance as report attached to this agenda
15. The parking bay extension westwards towards the Village Hall access road recommendations;
  - i.. That the whole parking bay, once extended, should have work incorporated to provide three 'breaks' at finished pavement height into the line of the bay at right angles from the pavement and equidistant along the bay in order to provide just sufficient space to incorporate three silver birch trees and hence provide 'green' breaks along what will otherwise be an extensive area of tarmac;
  - ii.. That the current footpath adjacent to the existing parking bay should be extended westwards along its current line adjacent to the new parking bay extension as far as the Village Hall;
  - iii.. That the green area that will remain between the new footpath and the front curtilage of the flats at the western end of the new parking bay and footpath extension should be used as the relocation point for the current 'Children's Playground' sign, thus giving the sign appropriate location, clear visibility by approaching traffic, and coincidentally preventing parking on that remaining 'verge';

The above treatment should then not only provide better, safer, and more appropriate parking facilities but also improve the environmental quality of the streetscape for all village residents.

16. To approve the street lighting up grade schedule from Rutland County Council
17. Applications for planning permission received in time for the meeting
18. Any other business
19. Correspondence: Came & Company & Rutland Citizens Advice Bureau
20. Date of next meeting

*S.J. Awcock*

Susan Awcock, Clerk to the Council 18<sup>th</sup> July 2016

Council and its insurance for which the documents are current and cover in date;

- Regarding Property Insurance there is no reference to the Village Hall but there is reference under the heading 'Property – buildings' to £50,000 at 'bequeathed buildings' – to what does this refer?
- There is no reference to the Recreation Field – does the £50,000 relate to this?
- There is appropriate Public & Products Liability cover at £10,000,000, but it isn't clear (to me at least) whether this relates to the Village Hall, the Recreation Field, or both?
- There is appropriate Employers Liability cover at £10,000,000,.
- There is cover for contents and equipment – how is this defined as between the Parish Council, the Trust, and the Village Hall, - are there separate schedules underpinning the cited values and cover?
- The specific items listed at the heading 'Additional cover' potentially relating to the latter are – 'other items' £5,000, 'marquee' £10,000, 'outdoor items' £5,000, 'bequeathed property' £5,000, 'refrigerated stock' £5,000, - all suggesting to me that they were derived from a wet finger in the air?
- Under the heading 'Premises' there is specific reference only to 'Street furniture' at £19,000, and 'Play Equipment' at £9,319.65? This leaves the question of the Recreation Field open by omission.
- At the sub-heading 'Additional cover' under the 'Premises' heading there is reference to 'Trees, shrubs, and plants' at £25,000 – this suggests that the Recreation Field is included but it isn't mentioned?
- There is 'Officials and Trustees' Indemnity in the sum of £500,000 which seems appropriate but this is disassociated from the Village Hall Trust/Management because there is no specific reference to either entity anywhere else within the Policy.

2. Village Hall and its insurance for which the documents are current albeit that the correspondence address needs updating;

- The Insured are cited as 'Wing Community Centre Management Committee' which suggests that the Trustees are not explicitly covered by this insurance and this, in my view, needs amending?
- Reference is made in the 'Summary' to the document that there is 'Trustee Indemnity' at £100,000 and again, in my view this needs amending (whether that be for the Management Committee Members, or the Trustees, or preferably for both,) to £500,000.
- Employers' Liability is included and in my view is appropriate at £10,000,000.
- Public and Products Liability is included at £5,000,000, and in my view should be increased to £10,000,000.

☒ Although I understand the necessity of the Parish Council and the Village Hall Trust each carrying their own Insurance in relation to both Employers' Liability and Public Liability, I think that there is some considerable scope for confusion about respective liabilities both between those two bodies and between the Trustees and the Village Hall Management Committee Members. The Village Hall Management Committee, as I understand it, is not a separate legal entity from the Trust, but a body delegated by the Trustees to manage the Village Hall. As such that Committee, in law, doesn't enjoy a legally independent status. If that is the case it cannot be an employer in its own right but simply a manager on the Trust's behalf. In law therefore the Trust is the Employer and it then follows that it is the body that needs Employers' Liability Insurance. So my comment is that without knowing precisely what written declarations have been made to the Maven Underwriters about the legal structure of the Village Hall Trust's management structure it's difficult to know whether the Maven Insurance is appropriate and would be active were a case to be brought. Maven might, in extremis, simply deny liability.

☒ There appears to be a complete duplication of insurance related to; 'Capital Additions', 'Decontamination and Clean up Expenses', 'Deterioration of Freezer Stock', 'Fire Brigade Charges and Extinguishing Expenses', 'Landscaping Costs', 'Locks Replacement', 'Metered Utility Charges', 'Trace & Access', 'Unauthorised Use of Metered Utilities', together with various items related to 'Money'. Clearly these are all items about one building and cannot be subject to two claims from two separate insurers for the same items. Whether the insurance should be taken out and managed by the Village Hall Management Committee or the Parish Council in their capacity as Trustees of the Village Hall Trust is a separate matter for discussion.

Given all of the above mentioned comments, I think the content of this e-mail should feature on the Parish Council July Agenda or more properly, as discussed at the last PC Meeting, at a Trustees Meeting convened before the start of the next Parish Council Meeting. We are in any event due to discuss Sally Cox's letter and enclosures of the 23<sup>rd</sup> May regarding the clarification of the Trustees' Scheme of delegated powers and responsibilities to the Village Hall Management Committee, and indeed the Charity Commissioners response to your consequential enquiry about the Trust Deed.

I hope to give thought to a potential Draft Agreement for the Trustees' Scheme in time for the July Agenda and hope that both this e-mail and that might help the discussion.