

## Dunsfold Parish Council

**KGV Management Committee Meeting 18<sup>th</sup> December 2023 at 7:30pm in the Nugent Room,  
Dunsfold**

### **Minutes**

#### Introductory Note

The meeting was recorded to assist with minute taking, and the fact of recording was announced to the meeting including members of the public present.

It was noted for the avoidance of doubt that this was a duly convened meeting of the KGV Management Committee (not full council), pursuant to the written terms of reference for the committee adopted at the 10<sup>th</sup> October 2023 Dunsfold Parish Council meeting, for dealing with KGV management matters as set out in those terms of reference. Councillors were reminded that the background and purpose of the committee and the charity terms are as set out in the written terms of reference, but that this committee meeting concerns the Council in its position as charity trustee of the KGV charity and not a local authority.

It was noted that the Clerk was unable to attend the committee meeting, but she was comfortable that the meeting was able to go ahead absent a clerk, provided that minutes to the committee meeting are taken by a councillor. Cllr Shone would be taking minutes for that purpose.

#### In attendance

Cllrs T Singhateh, N Waterson, R Enticknap, J Wright and M Shone

#### Item 1 – to elect a chair of the Committee

Cllr Waterson proposed Cllr Singhateh as chair. Seconded by Cllr Wright.

Cllr Singhateh was duly elected chair of the KGV Management Committee. Cllrs Singhateh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained.

*Note: The Committee was reminded that all councillors had been elected to join the KGV Management Committee under the resolutions at the October full council meeting. Following a concern raised regarding signed minutes from the October full council meeting, Cllr Shone expressed her understanding that a lack of signed minutes does not prevent the October meeting decisions concerning establishing the committee from having been validly made, signing minutes serves an evidential purpose only. The Clerk has not raised any concerns about the validity of the committee meeting on the basis of the lack of signed minutes, and the meeting had been convened and agenda published by the proper officer.*

#### Item 2 – Apologies for absence

Apologies received from Cllr G Fraser and Cllr C Lindesay.

#### Item 3 – declarations of interest and dispensations

None.

#### Item 4 – meeting dates

Proposed by Cllr Wright, seconded by Cllr Waterson. Cllrs Singhateh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained. Future KGV Management Committee meeting dates confirmed as:

9<sup>th</sup> January 2024  
13<sup>th</sup> February 2024  
9<sup>th</sup> April 2024  
14<sup>th</sup> May 2024

Item 5 – phone mast

The Chair introduced each individual motion. The Committee was also informed that the related planning application for the phone mast had recently been approved by Waverley Borough Council.

- a. *Pursue negotiations:* The Committee was reminded that a proposal was brought forward in 2017 but later ceased. It was noted that it is difficult for landowners to resist telecoms mast proposals outright. As a trustee of the charity, it was noted that the land is held for purposes of open recreation but it is a small section to be used for a phone mast. Income is potentially valuable to the charity. Council took a decision earlier in 2023 to instruct Carter Jonas to negotiate. Signal strength in the village is currently poor, but signal benefit from the mast at this location is not clear. The Committee was reminded that it should focus on the council's position as charity trustee – not more general factors. It was noted that KGV user groups had not raised material concerns with the proposed mast location, and there had been no material change between the 2017 aborted negotiations and the decision to instruct Carter Jonas earlier in the year to cause a change of approach. Concern was raised that the mast should not interfere with the use and enjoyment of the playing fields.

Motion proposed by Cllr Wight, seconded by Cllr Waterson.

Committee unanimously resolved to pursue negotiations for a lease for a phone mast at the KGV in principle (subject to detailed terms and relevant consents).

- b. *Comments on the draft heads of terms:* The Committee was reminded that correspondence with Carter Jonas had been circulated to them (also attached to agenda), which included a number of initial queries and comments. Concern was raised that all of the Council's legal and professional fees should be covered by the telecoms company. Feasibility of connecting to electricity and timeframe for completion/operation was also raised (in light of Hascombe's experience), including location of service cables and making good for any works (both of which are with Carter Jonas to request confirmation from the telecoms company).

Motion proposed by Cllr Waterson, seconded by Cllr Wright.

Committee unanimously resolved to raise additional queries and comments on the draft Heads of Terms with the telecoms provider via Carter Jonas (summary of correspondence attached [to agenda]).

*Note: Intention to action/progress before the next committee meeting. Point on cost exposure to be noted.*

- c. *Charities Commission:* The Committee was reminded that the land is charity land, the council is the charity trustee and has a responsibility to maintain and care for the land consistent with charity's objectives. It would be prudent to check the position with the charities commission if possible; extra consents (including Fields in Trust) would be needed in order to grant a registrable lease of any land.

Motion proposed by Cllr Waterson, seconded by Cllr Wright.

Committee unanimously resolved to seek guidance from the Charities Commission in relation to the potential siting of a phone mast on the charity land.

*Note: Intention to action/progress before the next committee meeting.*

- d. *Fields in Trust (FIT) consent:* The Committee was reminded that the telecoms company had indicated over the summer that FIT consent would need to be sought prior to negotiations for the lease continuing further. That request appears to have been paused as FIT will require signed heads of terms and other documentation for a consent application, the request from the telecoms company therefore appears to have been premature given negotiations are ongoing. Given negotiations in principle have been approved per the above, grant of a lease will require prior consent from FIT (land registry restriction), and the council will need to instruct Carter Jonas to make the application at the appropriate time if a lease is ultimately to be granted.

Motion proposed by Cllr Waterson, seconded by Cllr Wright.

Committee unanimously resolved to approve Carter Jonas applying on behalf of the Council to Fields in Trust for consent in principle to a phone mast on the KGV at the relevant time.

- e. Motion withdrawn. Planning permission had been granted by Waverley and a copy of the council's response to the application already provided to Carter Jonas.

#### Item 6 – KGV management matters

Report (attached to agenda) noted.

#### Item 7 – financial

The Chair introduced each item.

- a. The Chair drew attention to the reports and information regarding maintenance circulated to the committee, including the HSE checklist for village and community halls. The Chair mentioned the RoSPA report conclusions on wear and tear, and summer vandalism to the play area. The Chair confirmed from his investigations that a council meeting in December 2017 voted to put in place a maintenance contract for the playground, it was apparently discussed with Flights of Fantasy (playground installer) but no agreement was subsequently put in place nor has any payment been made. It was noted that some electrical works were carried out in 2022, but that proof of works/certification has not been provided. The Chair noted the other items on the list and the reasons for seeking to include them. The intention to hire out the Foulston Hall to provide some additional ad hoc income for the charity would require these items to be attended to. Concern was raised about possible cost and looking for alternative funding sources for a defibrillator. St Johns Ambulance funding will open up again until April 2024, it would be sensible to exhaust alternative funding sources if possible. Concern was raised about funding the works, and that the KGV should fund itself. It was noted that this list includes items that have not been attended to in many years and which are the responsibility of the council as trustee. These could not be considered to be optional

items, this is about making the facility safe and accessible as required. On funding, it was noted that the charity account contains a surplus and also now contains an extra £5k total grant authorised to be transferred from the DPC account (voted on at the last parish council meeting). It was also noted that there are a number of bank accounts in relation to the KGV/ play area, which the finance committee are trying to understand the appropriate application for. It was noted that looking ahead, an annual plan/budget would be needed for the charity which would include e.g. routine inspection expenses, such as RoSPA and interim safety inspections. It was noted that the Council's Financial Regulations, in place since 2016, do not require separate written quotations for contracts for good and works consisting of repairs to plant, equipment or machinery, which many of the items are.

List of urgent maintenance items and the relevant budgeted amounts for such items (list attached [extracted below]) approved. Motion proposed by Cllr Waterson, seconded by Cllr Wright. Cllrs Singaheteh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained.

**Budget**

Item	Budget ex VAT
Playground remedial works	£4,000.00
PAT testing	£400.00
Water Risk Assessment (legionnaires)	£420.00
Health and Safety Risk Assessment	£380.00
First Aid Kit	£100.00
Defibrillator	£915.00
Asbestos Survey/remedial works	£1,000.00
Car park works	£2,000.00
Replacement of Refrigeration units – Units well over 15 years old with no maintenance record	£1,100.00
New Sink behind bar needed due to placement and the fact that it is leaking	£850.00
<b>Total</b>	<b>£11,165.00</b>

- b. Expenditure on each class of item for the purposes of FR4.1 was authorised *[Note: to be funded to the extent possible from the KGV charity account (which now includes the £3k KGV grant and £2k playground maintenance grant funding from the DPC account)]*. Motion proposed by Cllr Waterson, seconded by Cllr Wright. Cllrs Singaheteh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained.

*Note: Approved budget for works was given in motion a, and authority to spend up to the budgeted amounts for the purposes of FR 4.1 was given in motion b.*

- c. It was confirmed that the provisions of FR11 do not apply to the extent that works to be executed or goods or materials to be supplied consist of repairs to or parts for existing

machinery or equipment or plant. Motion proposed by Cllr Waterson, seconded by Cllr Wright. Cllrs Singaheteh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained.

*Note: Motion included for clarification purposes only.*

#### Item 8 – KGV sports & social club constitution

Amendments to the KGV Sports & Social Club Constitution as tabled at the recent KGV Sports & Social Club AGM (attached) approved. Motion proposed by Cllr Wight, seconded by Cllr Waterson. Unanimously approved. No abstentions.

#### Item 9 – Village consultation

The chair briefly introduced the agenda item before the meeting was paused for the public speaking session.

The meeting was opened for the public to make comments and representations from 8:30pm to 8:45pm.

Public comment 1. KGV Management Committee needs to ensure that a copy of the revised KGV Sports & Social Club constitution is provided to Waverley Borough Council licensing department. The Committee noted the comment to follow-up with the Sports & Social Club committee.

Public comment 2. 3x quotes were obtained to fix the car park prior to the May 2023 election, they should be on file somewhere. Electric works for which a grant was obtained by SCC have still not been done. Lighting will be required for a defibrillator. Former councillors always got 3 quotes for all works to the KGV. The KGV element of the DPC precept last year included £3,200/3,300 per year for next three years for a maintenance contract for the playground. The responsibility for entering into the contract after that vote was not with councillors, the member of the public can't explain why it was not subsequently put in place.

Public comment 3. Phone mast – the council talks about a lease, but the second proposal in May was a license under the new code. If the agreement is a license, it will not require FiT consent as it is not a registrable disposition. The Committee noted that the heads of terms were unclear and that clarification should be sought from Carter Jonas.

Public comment 4. Question as to why any vandalism to the play area is not being dealt with as an insurance claim. From the individual's memory, a three-year maintenance contract with Flights of Fantasy was put in place after installation in 2017 but documentation lost by the company and no invoice raised by them. The Chair noted that any insurance claim would be an excess and impact on premiums. There has also been no ongoing maintenance contract to be able to point to when the damage occurred. The individual was urged to provide any relevant documentation still within his control to the council. The individual had also investigated PAT. He didn't consider it was a legal requirement, albeit it good practice to have. The member of the public thought it was incorrect for councillors to say in public that the insurance policy requires testing/maintenance (the individual had also reviewed the document in full). The Chair suggested an offline discussion with the individual concerning insurance coverage for losses are a result of non-maintenance, based on the chair's professional experience of the insurance sector. The individual was concerned that the public was being told things as fact but that weren't true. The chair disputed this. It was noted by the committee that PAT testing is good practice and estimated to cost £400.

### Item 9 – village consultation (continued)

The publication of a short consultation/feedback request to the village regarding use and enjoyment of the KGV facilities, in accordance with the attached [extracted below] outline structure, was approved. Motion proposed by Cllr Waterson, seconded by Cllr Wright. Cllrs Singhateh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained.

*Note: Preference to time consultation to allow a gap between this and the Council's neighbourhood plan consultation.*

Outline structure:

- Intro – the KGV is an important village asset. The KGV facility is a charity, owned and managed by the Council as charity trustee. To help the Council to prioritise and form its longer-term plan for the KGV, we need and want to hear the public's views about the facility and ideas for the future. All comments – positive, negative and neutral are welcome and will be considered.
- General information
  - Whether the respondent lives or works in the village
  - Whether the respondent is a member of any of the village clubs that are based at the KGV (Football, tennis, Sports & Social club)
  - How often the respondent visits the KGV
- Feedback and comments on the KGV
  - What the respondent likes/dislikes about the KGV facilities
  - Whether anything puts the respondent off using the KGV, and why
  - What the respondent thinks about the current no dogs rule – does prohibiting dogs affect your use and enjoyment of the KGV, and why
  - What would the respondent like to see at the KGV but is not there currently (and anything there that they would like removed), and why
  - Any thoughts or ideas for improvement that you would like to share
- Completed feedback form can be sent to any of the Clerk, or Cllrs Singhateh, Shone and Waterson, or posted to the DPC office

Consultation to go out on website and shared via enews/Facebook, hard copy poster at the shop, pub and KGV, shared to user groups and other stakeholders.

Target date for the consultation – Jan/Feb 2024.

### Item 10 – Instructions to the clerk

Clerk instructed (assisted by Cllrs Singhateh, Shone and Waterson) to do any such thing as is necessary or reasonable in order to implement any resolutions passed by the Committee above, and in particular the Clerk/RFO is instructed to issue relevant official orders/letters (for the purposes of FR10) for all works for which expenditure has been authorised under item 5 above. Motion proposed by Cllr Waterson, seconded by Cllr Wright. Cllrs Singhateh, Waterson, Wright and Shone in favour. Cllr Enticknap abstained.

### Item 11 – items for future agendas

Recommendations: Update on consultation and maintenance works, safety checks (such as the playground (not just RoSPA).

Query about whether to embed future KGV Management Meetings into full meeting meetings – something for the committee to consider.

Item 12 – press and public

No items.

Meeting was closed at 8:51pm.