



V O L U N T A R Y
A C T I O N
C U M B R I A

Village Hall Update

~ Spring 2004 ~

Inside...

Take a look at **Trustee Indemnity Insurance**. Do you really need it? Does it provide the protection you're looking for?

As usual, we've summarised some **Funding Information** for you, including the new Strengthening Rural Communities Fund from the Rural Regeneration Company and the Cumbria Community Foundation.

Gamblesby Community Centre has become synonymous with an innovative approach to funding a large refurbishment project, using renewable energy. Why not take a look at their Grand Opening on April 22nd?

For **Village Halls in Eden** – please remember that Eden District Council offer grants especially for access, and general improvements. More information inside.

Don't forget, if you need help or advice, book a slot at one of our **Village Hall Surgeries**.

The **Cumbria Rural Forum** has been a place to discuss rural issues since 1991 – would you like to join?

New Information Sheets on **Asbestos** and **Trustee Liability and Trustee Indemnity Insurance** are now available.

And More....



Trustee Insurance

Charity trustees have powers, duties and responsibilities that derive from the charity's constitution or trust deed or from statute or common law, and from the contracts they enter into. Failure to comply with these duties can result in trustees being personally liable.

It's important to note that it is the **MANAGING** trustees, ie, the Management Committee, that are liable, not the Holding Trustees.

Let's look at some examples:-

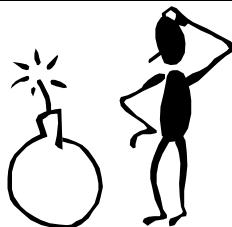
If a Village Hall undertakes a large contract such as a refurbishment project, it is the individual members of the Management Committee who enter into the contract and assume responsibility. If the project hits problems, and there is an overspend the Committee can't cover through fundraising or reserves, then the contractor may decide to sue the Committee for monies outstanding under a '**breach of contract**'.

If such an action is successful, the trustees may have a right to an indemnity out of the charity's funds: it is normal for charity constitutions to include such a right. If there are sufficient assets available, the Charity Commission may sanction the use of permanent endowment, ie, the community building.

If neither assets or endowment are sufficient, the trustees may petition the court for relief under s.61 of the Trustee Act 1925. Provided the trustees have acted reasonably and prudently, the court will grant such relief. **Note that trustee indemnity insurance does not cover a breach of contract.**

In cases of **negligence**, for example if a Committee fails to maintain the Hall as a safe place, and a user is injured as a result, such liability is covered by the public liability insurance, that all Halls should have.

A **breach of trust** is a different matter, however. This occurs when a trustee acts in a way that is not authorised by the constitution or deed of trust, i.e. spending money on non-charitable activities, or making unauthorised payments to trustees. In such a case, there is very little defence for liability



It is true to say (and we have said it before!) that the best way to protect trustees from personal liability is to make sure such liabilities are not incurred.

This can be achieved by ensuring that the charity is well managed and that good practice is followed at all times.

Some trustees also seek the reassurance and protection of trustee indemnity insurance. It's important to note that this insurance will not cover:-

- Acts which the trustees knew to be wrong
- Liability to third parties
- Redundancy payments to employees
- Penalties for breach of statutory duties or fines
- Injury to members of the public whilst on the property
- Fraud or dishonesty of employees
- Faulty, inaccurate or wrongful advice given either under fee or contract
- Losses from failure to insure the charity's assets
- Liabilities arising from wrongful trading

Trustees are increasingly concerned about their apparently increasing duties. In fact, the duties of charity trustees have not increased significantly, it is only a perception. What has increased is the amount of law covering areas of work traditionally undertaken by community groups and buildings. The problem is that trustee indemnity insurance does not, on the whole, provide the protection that many people believe it to have.

In situations where personal liability arises and no insurance cover is available, the circumstances of such liability must be taken into account. As mentioned above, provided a trustee has acted reasonably and honestly in the best interests of the charity, he or she should be entitled to an indemnity (compensation) out of the charity's assets. Where such assets are not enough to cover this, the charity trustees may petition the court for relief under s.61 of the Trustee Act 1925.

(From Information Sheet No. 35 - Trustee liability and trustee indemnity insurance)

£ £ £ Funding Information £ £ £

Futurebuilders

Futurebuilders is a £125m investment fund to strengthen the contribution of voluntary and community organisations to public service delivery in the key areas of health and social care, crime, community cohesion, education and learning, and services for children and young people. For more information see website:

www.hm-treasury.gov.uk/newsroom_and_speeches/press/2003/press_134_03.cfm

Local Heritage Initiative

Voluntary Action Cumbria works with the Countryside Agency to promote the Local Heritage Initiative as a way of funding heritage projects which conserve the past, bring communities together and develop new skills. Grants of £3,000 to £25,000 are available to community groups wishing to develop heritage projects under the following headings:

- Archaeological
- Natural
- Built
- Customs and traditions
- Industrial heritage

For more information call 0870 9000 401 or see website: www.lhi.org.uk

Alternatively contact your local Rural Development Officer at VAC on 01768 242130

Young Roots

The Heritage Lottery Fund working in partnership with National Youth Agency have set up the Young Roots programme which is aimed at organisations that already work with young people such as youth and community groups, youth associations and clubs. Projects must involve young people aged between 13 and 20 in their heritage, relate to the varied heritage of the United Kingdom and be delivered through partnerships.

The next deadline for applications is 1 April 2004. Please contact Danny Gilchrist (Young Roots Co-ordinator) at HLF Head Office, 7 Holbein Place, London SW1W 8NR Tel: 020 7591 6000 Fax 020 7591 6001 Email: dannyg@hlf.org.uk Website: www.hlf.org.uk

Strengthening Rural Communities

This new fund from Rural Regeneration Cumbria, organised by the Cumbria Community Foundation offers Grants of up to £10,000 (match funding required) for rural projects that address one of the following:-

- Rural poverty
- Social exclusion due to rural isolation
- Poor access to services
- Additional stress, isolation and economic difficulties resulting from foot and mouth
- Community based activities that contribute to local economic development

And support any of the following groups:-

- Children and/or young people
- Older adults
- People on low incomes
- People experiencing stress and/or mental health problems.

More information from Clare Edwards on 01900 825760. www.cumbriafoundation.org

~ Bits 'n' Pieces ~

The Licencing Act 2003

Under the Licensing Act legislation, local authorities are required to provide a statement of their Licensing Policy. The final Government Guidance for local authorities has not yet been released. Once released, it will go before both houses for approval, then it will be a further nine months before the system is fully in place, and many local authorities are waiting to see what this Guidance will look like before writing their policies. In Cumbria, all the local authorities are working together so that district policies will be comparable, but these policies are not yet ready. When we hear more, we'll let you know!

Renewable Energy in Action

A new twist on an old funding application?

The first phase of the refurbishment of **Gamblesby Community Centre** is now complete, and the committee are giving a presentation on what they have achieved and their future plans on **Thursday, 22nd April at 12 noon.**

This is not your average Village Hall however. Heated by a ground source heat pump, and designed according to green principles, the project included a commitment to local materials and suppliers.

If you would like to see renewable energy in action, and how a different approach can add punch to your funding applications, then Gamblesby have kindly thrown their invitation open to other village hall committees.

If you would like to attend, please contact Mr W V Mitchell on 01768 881956.

Eden Village Hall Grants

Are you a Village Hall in Eden looking for funding for access improvements or for improvements to your hall? Installing a better kitchen? Double glazing? A new floor?

Then please remember that Eden District Council offers grants of up to £4,000 (or 40% of project cost) for general improvements and £750 (or 75% of project cost) for access improvements. There is also a small Building Condition Survey grant.

For more information on the main grant scheme, contact Anna Scamans on 01768 869529 (or send in a request on the yellow sheet). For details of the Disabled Access Grant contact Ray Beare on 01768 212445.

The money's there – let's use it wisely!

! Dates for your Diary !

28th April – **Grantfinder Open Day** – Eden CVS Offices, Redhills, Penrith

Contact:- Andrea or Margot on 01768 242138 (Need to book a slot!)

6th May - **Carlisle Rural Roadshow** – Crosby VH, nr Carlisle

Contact: Carlisle CVS on 01228 512513

13th, 14th or 15th May – **Developing Your Community Building** – Frizington

Contact:- West Cumbria CVS on 01900 819191

24th June – **West Cumbria Funding Fair** - Venue tbc

Contact: Debbie Young on 01900 819191

!! Also see our Village Hall Surgeries on the next page !!

Village Hall Surgeries

Dates for the 2004 Village Hall Surgeries are below. Owing to funding constraints, we are unable to come out and visit individual Village Halls. Instead, you can book a fifty minute slot at a Surgery in your district, where advice, literature and training will be available.

You MUST book a session in advance. To book, please call your Rural Development Officer or send in a yellow form with your request.

The Surgeries:-

Surgeries will run from 1pm through till 7pm, with advice sessions available for booking, and training available.

6 th May	Carlisle (Rural Roadshow)	Crosby VH
12 th May	South Lakes -	Venue tba
16 th June	Copeland -	Venue tba
8 th July	Principles of Fundraising Training Event	
15 th Sept	Allerdale -	Venue tba
15 th Oct	Carlisle -	Venue tba
10 th Nov	South Lakes-	Venue tba

In Eden:-

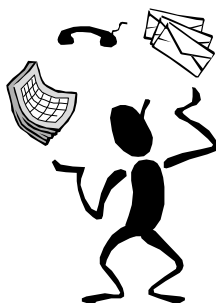
Eden District Council fund us to continue to do development work with Eden Halls. In this district, we can still come out, visit you at your hall and work with you closely. For this reason, we have not set up any Eden Village Hall Surgeries. Please call Anna if you require help.

KESWICK MOUNTAIN SINGERS

- a male voice choir - are offering to stage concerts in Village Halls within a 15 mile radius of Keswick.

The choir are singing until the end of May and after a summer break, will resume in September 2004.

If any halls are interested in hosting a concert for their community please ring Ron Horne on 017687 79265.



In the Know?

We often receive information on policy developments that affect Village Halls.

Recently we have been looking for a way to consult with some of you on an informal basis, and ask your opinion on these developments.

If you would like to join an e-mail group of members of VH committees, for the purpose of giving your views on information we receive, please let us know by using the yellow Sheet enclosed. We won't bombard you with e-mails, we promise! Thank you.

NEW ACRE INFORMATION SHEETS

We have updated versions of the following Information Sheets:-

~ Asbestos ~

~ Trustee Liability and Trustee Indemnity Insurance ~

If you would like a copy, please request one on the yellow sheet enclosed.

Full Strength!

Well, we did promise that we would have full coverage of Rural Development Officers across the County, and now we do!

Since **Sarah Mitchell** joined us in September, we've had an RDO for all areas. **Louisa Alston** our RDO Support Officer has moved on to a new job (and we wish her luck!) and **Carl Glynn** will be joining us in May to fill that role.

Who's Who? – Your Rural Development Officer

Here's your quick guide:

Julia Wilson	-	South Lakeland & Furness
Anna Scamans	-	Carlisle & Eden
Sarah Mitchell	-	Copeland & Allerdale



Contacting Us:-

We know it can be hard to get hold of us. Some of the team are only in the office part-time, and we are often out at meetings or on the road. We are now trying to leave details of when you can catch us in the office on our voicemail, but if you can use the yellow form, that makes it much easier for us to manage requests for our time. Thank you.

Cumbria Rural Forum

The Forum was set up in 1991 as a place to come together and discuss issues of concern to rural life. The Mission Statement says:-

"The Cumbria Rural Forum will bring together statutory and voluntary, business and community organisations and groups to share views, influence opinion, address issues of common concern and to promote sustainability in rural Cumbria, drawing on collective experience to solve problems in a spirit of mutual support and co-operation."

The next meeting of the Forum is on 14th April, 10 - 3pm in Keswick. For more information, contact us here.

And finally.....

If you have any information to share or success stories to shout about, please contact Anna Scamans at:

Voluntary Action Cumbria
The Old Stables
Redhills
Penrith
CA11 ODT
www.ruralcumbria.org.uk
01768 242130

Don't Forget!

Display a Copy!

Please put up a copy of this Update in your Hall, so that others can benefit from the information.