

Terms of Reference Agreement : The Friends of St. Mary's Church, Stevington & Stevington PCC re use and management of The Church Room/Stevington Community Hub

Draft v2 28/04/2023

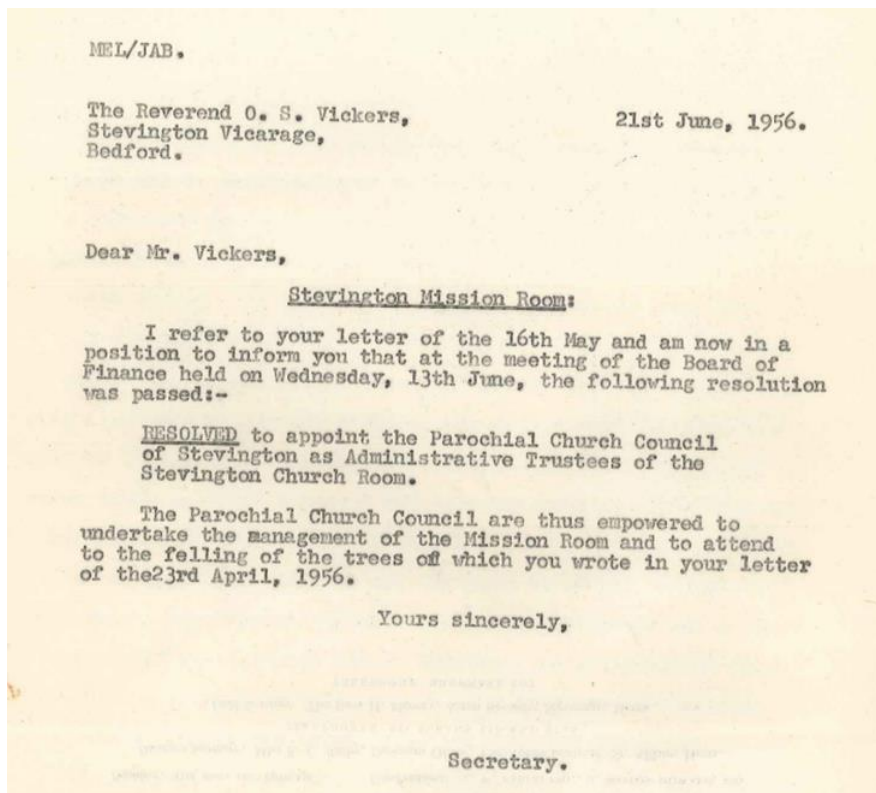
Ownership

The building was constructed in 1898 on land donated by Herbrand, Eleventh Duke of Bedford. He also donated £100 towards the costs of a 'Mission Room' some 400m from the Church building. It should be noted that the remainder of the money for construction and fitting out was raised by Stevington residents.

The trust deed is between the Duke of Bedford and the Ely Diocesan Trustees, who were the administrative centre of village life in this area in the 1890s.

In 1914, the new Diocese of Chelmsford was formed, removing Essex from the St Albans diocese. A few months later the county Archdeaconry of Bedford was added to St. Albans from the Diocese of Ely, thereby providing the diocese substantially with its current boundaries.

In 1956 Stevington Parochial Church Council were appointed as Administrative Trustees and are Beneficial Owners of the building. The Estates Officer in St Albans has retained the Trust Deed on the PCC's behalf.



In 2010 The Friends of St. Mary's Church, Stevington (Registered Charity No 1139161) was established, and trustees have developed the room as Stevington Community Hub, a publicly accessible resource providing for the modern day 'spiritual, moral, social or intellectual wants' of residents and visitors. The Friends' Annual Review 2022 document shows the range of activities, services and opportunities provided by the trustees and volunteers, but which are severely limited by the largely unchanged Victorian building.

Roles

The PCC and The Friends of St. Mary's Church have defined roles in the development of the building historically known as The Church Room. Many of the activities will be run under the name of Stevington Community Hub.

As Beneficial Owners the PCC are responsible for:

- **Applying for planning permission to develop the building [Nov 2020]**
- **Awarding contracts for capital, renovation and maintenance work and paying resultant invoices**
- **Managing and overseeing all building work and liaising with users**
- **Paying utility and running costs: insurance, electricity, water,**
- **Ensuring that the building has appropriate building, contents, public and trustee liability cover for PCC**
- **Ensuring that the building meets current Health and Safety regulations, including during building work.**
- **Overseeing use, bookings and invoicing [this can be delegated]**
- **Agreeing rents and drawing up user contracts**
- **Raising invoices for users**
- **Receiving private hire income**
- **Overseeing security and key holders [access to shop store room?]**
- **Applying for grants**
- **Giving permission for any material changes to the building [e.g. installation of a water boiler in the kitchen area]**

As the supporting management body, FOSMS are responsible for:

- **Running fundraising events**
- **Supporting the development and running costs of the Hub**
- **Ensuring that the organisation is covered by public liability and trustee liability for FOSMS**
- **Ensuring that FOSMS events are run with current H&S regulations in mind**
- **Developing user groups and events, including a stakeholders committee**
- **Liaising with and supporting the Community Shop**
- **Overseeing the design development**
- **Stimulating private hire**
- **Managing the interactive TVs**
- **Paying for WiFi**
- **Applying for grants for activities and capital projects**
- **Monitoring use to ensure impact and outcomes**
- **Ensuring that equipment purchased is included on an Assets List and insured.**

Aims and Vision 2023-2028

Aim:

- To create a financially sustainable, multi-user community project known as Stevington Community Hub which supports the modern day 'spiritual, moral, social or intellectual wants' of residents and visitors.
- To create an agreed, detailed 5-year plan for the running and development of the Church Room and Community Hub project.

Vision:

- The Hub will be a welcoming, community space; support a community shop, drop-in WiFi enabled café and a range of clubs and activities to meet the needs of the whole local demographic.
- Any surplus funds raised will be used in accordance with FOSMS charitable objectives.
- The Hub building will be available to book for private hire
- The Hub building will be gradually renovated to improve access, energy efficiency, facilities and décor.

While the aims and vision are realised over the 2023-2028, 5-year period, the following has been agreed as a modus operandi between Stevington PCC and The Friends of St. Mary's Church Stevington AS AT 2023

Legal responsibility

- **Insurance buildings and contents of The Church Room/Community Hub:** Currently with Ecclesiastical Insurance. Paid for by PCC
- **Health and Safety:** Report on The Church Room/Community Hub completed by Pete Fisher for PCC 10th January 2023.
Several issues were raised to meet current legislation. The PCC would like FOSMS to manage the monthly testing records and risk assessments. Dr J Strutt is the current FOSMS trustee H&S co-ordinator. He has agreed to list problems and potential solutions. N.B. This arrangement does not absolve the PCC from their responsibility as the legal owner of the building, but in practice, FOSMS have more capacity to ensure that policy is agreed, and regular checks are undertaken. Safeguarding and Health & Safety appear on every FOSMS Agenda.
Any costs arising are the responsibility of PCC but assistance may be requested from FOSMS.
- **Bookings:** The bookings diary is now with Tricia Lennie as a member of PCC. Invoices to be raised and hire charges to be paid to PCC
- **Maintenance:** Occasional maintenance issues will arise. Who should manage these? Who will manage volunteers or contractors? Who will pay invoices?
NB There is a memorandum of understanding between PCC and FOSMS that when funds are requested from FOSMS to PCC or vice versa, a letter will be written from the secretary to the secretary for consideration at the next available meeting of trustees. This request should be sent before costs are incurred. Chairs and Treasurers should be copied in.

Finance

- **Income:** FOSMS Trust Deed states that it exists to fundraise for the maintenance and improvement of the Church and Church buildings. It can accept donations, grant payments and organises fundraising events. It cannot be involved in permanent trading. As a Registered Charity 1139161, it must make a return to the Charity Commission annually and produce an Annual Report for members. The treasurer will ensure that grant money is spent according to allocated budget headings and that a sensible reserve policy is set for payment of regular bills (such as the broadband and insurance).

Expenditure: Monies received in the FOSMS bank account are used at the discretion of FOSMS trustees and decisions are made in accordance with current policy.

As noted above, requests can be made by PCC to FOSMS for support with proposed expenditure.

FOSMS has agreed to pay £800 per annum to PCC to mitigate loss of interest payments at 2.6% on the £30,000 they have contributed to the construction of the link building. See FOSMS Minutes of 9th March 2023. Payments will commence when the money has been withdrawn from the PCC savings account in 2024.

- **Assets list:** Some items currently installed in the Hub have been paid for directly from grants or donations made to FOSMS, such as the TV, Toddler area, ladders and some kitchen equipment. FOSMS will start an asset list, but items will be insured under the PCC contents insurance.
- **Invoices paid:**
 - Running costs** - When trustees have agreed that money is to be transferred from FOSMS bank account to PCC bank account, for example for cleaning services or rent support, invoices will be raised by the PCC, sent to the FOSMS treasurer who will make payment and retain these for audit purposes.
 - Capital build** – The PCC are responsible for contracts and payments relating to capital expenditure. However, some grant monies received by FOSMS are designated for capital build.
FOSMS will transfer any grant monies, once received by FOSMS, for capital building expenses as needed for current invoices. FOSMS anticipate that the cost of Phase 1 Groundwork (Quotation accepted £28,875) will be transferred in stages from FOSMS to PCC to meet Stage 1 invoices.
- **Grants:** Care must be taken as both organisations may, from time to time, apply for grants related to either capital, renovation, or project work. PCC/FOSMS must liaise closely to maintain positive working relationships with grant funders, avoid any duplication of effort or request for funds. Grant applications for both organisations (whether in relation to the building or the project) must be agreed initially between PCC Treasurer and a FOSMS trustee (the Chair unless otherwise specified). Each organisation will have its own policy for decision making.

Development of Stevington Community Hub

- **Events, responsibility for and associated funding:** Current events include Community Shop (which is a separate organisation but supported by FOSMS); a drop-in WiFi enabled café (staffed mostly by shop volunteers but supplemented by FOSMS/PCC, profits accrue to the shop); Bread sales (FOSMS but profits to shop); interest groups run in conjunction with shop opening (FOSMS); coffee mornings (FOSMS); Toddler group and Toddler area (FOSMS); Wavelength (independent but FOSMS linked); Good Neighbours (independent but FOSMS supported); wellbeing talks (FOSMS); soup lunches (PCC) second-hand books (PCC) Private hires (PCC)
- **Capital build** – Project management (administration) of the Link Building project 2023/2024 has been delegated to Tricia Lennie as a member of PCC. She will be the final point of contact for decisions, made after taking advice if necessary. As above with Health & Safety, this does not absolve the PCC of ultimate responsibility. While acting as Project Manager TL is acting for PCC and not as Chair of FOSMS.
- **Renovation work** – Future projects will be considered within the 5-year plan, such as accessibility, energy efficiency, fabric, utilities, and decor improvements. These will need to be prioritised and resources allocated to their management and fulfilment.
- **Hub management group:**
 - The first meeting of the stakeholders’ group in March 2022 was called and run jointly by PCC and FOSMS
 - This group is primarily focussed on achieving the Aims of the Hub, which are to be financially sustainable and to be a vibrant multi-user community resource.
 - The PCC hope that management and running of Hub events can increasingly be transferred to FOSMS or a Hub management group
 - While FOSMS are eager to see the Community Hub project flourish, they are restricted by the current Trust Deeds from undertaking any permanent trading and restricted from full legal responsibility for aspects of building management.
 - A committee could be formed, comprising key personnel in a structure that simplifies these challenges.
 - FOSMS trustees propose the setting up of a user group who might ultimately assume some of the responsibility for the running of the Hub.
 - The evolution of a management group will form part of the 5-year-plan

Communication

All parties will be considerate in their communications. Everyone is busy, so, we must be thoughtful in our expectations of each other’s time. Most correspondence will be by email. If we urgently need to talk, then we should text to agree a suitable time for the discussion and respect one another may not be instantly available. Discussions will happen in normal working hours or times agreed by participants.
