



Agenda Item	Coronation Hall – Confirmation of commitment to custodian trusteeship		
Council/Committee	Full Council		
Meeting Date	22 November 2022	Report Writer	Delia Shephard
Purpose of report	To provide an update report and practical information to allow members to endorse commitment to becoming sole custodian trustee and to approve arrangements		
Strategic Priorities	2 Proud of our past and our future, 4 Closer to our community		
Supporting Documents	None – previous report on council website https://bletchleyfennystratford-tc.moderngov.co.uk/ieListDocuments.aspx?CIId=137&MIId=298&Ver=4		

Background

On 5 May 2022 the Town Council resolved unanimously to take on the role of sole custodian trustee for Water Eaton Coronation Hall at the request of the existing three custodian trustees.

Updated Information

Since this decision was made correspondence has been received by the town council from the charity. As a result the chair and vice-chair of the council, the chair of the finance committee and the clerk have had meetings with the custodian trustees and the clerk has attended two meetings of the managing trustees. Legal advice has also been secured for the town council and discussions have taken place about the long-term future of the charity.

In the past the charity has experienced some difficulties in securing managing trustees but has recently confirmed that, whilst the three custodian trustees still wish to resign, it is anticipated that at the AGM (due to be held on 26 November 2022) existing managing trustees will confirm their intention to continue though a new chair of trustees will be required.

It has been established that the property has not been registered with the land registry and a change of custodian trustees will trigger first registration. The charity has offered to meet the legal costs for this from its own funds and has made provision for this.

The town council's legal advisors have agreed that it will be expeditious for them to undertake the legal work for change of trustees and subsequent registration with the land registry on behalf of the council. The council will be charged for this work the council would need to pay the invoices and recharge the charity. Legal fees are expected to be c£2,500 and there will be land registry fees in addition which will depend on the registered value of the building.



Financial Implications

As previously advised the ongoing costs to the council in becoming sole custodian trustee are primarily in officer and meeting time. There is a theoretical risk that the legal fees incurred by the council might not be met by the charity but see previous notes.

Legal Implications

As always members of the council must have regard to any individual or corporate conflict of interest when considering acting as a trustee.

Officer recommendation: following discussions with the council's legal advisers and the chair of the existing trustees and bearing in mind the limited role of the custodian trustee, the clerk has no new information which would cause a need for a change in the advice given in the original report and therefore no reason for the council to change its original decision.