



## **Charlotte Coxe Trust Committee**

**Date and time: Wednesday, 22 June 2022 at 10.00 am**  
**Venue: Council Chamber - County Hall, New Road, Oxford OX1 1ND**

If you wish to view proceedings online, please click on this [Live Stream Link](#).

A handwritten signature in black ink that reads 'Stephen Chandler'.

Stephen Chandler  
Interim Chief Executive

June 2022

Contact Officer: **Chris Reynolds**  
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[colm.oacaomhanaigh@oxfordshire.gov.uk](mailto:colm.oacaomhanaigh@oxfordshire.gov.uk)

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**Membership**  
Chairman – tbd

*Committee Members:*

Councillor Robin Bennett  
Councillor Felix Bloomfield  
Councillor Freddie van Mierlo  
Councillor Jane Murphy  
Councillor Geoff Saul

# A G E N D A

1.	<b>Election of Chair for the Council Year 2022/23</b>
2.	<b>Election of Deputy Chair for the Council Year 2022/23</b>
3.	<b>Apologies for absence</b>
4.	<b>Declarations of Interest</b>  Please see guidance note
5.	<b>Minutes</b> (Pages 1 - 4)  To approve the minutes of the meeting held on 28 April 2022 and consider any matters arising.
6.	<b>Petitions and Public Address</b>  <i>Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.</i>  <i>To facilitate 'hybrid' meetings we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e., 9am on Thursday 16 June 2022. Requests to speak should be sent to <a href="mailto:chris.reynolds@oxfordshire.gov.uk">chris.reynolds@oxfordshire.gov.uk</a></i>  <i>If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.</i>
7.	<b>Future Management of the Trust</b> (Pages 5 - 10)  To consider whether Watlington Parish Council should take over as manager or whether OCC should continue managing it via the Committee.  <b>The Committee is RECOMMENDED to</b>  <b>(a) Agree that the preferred options for the future management of the</b>

	<p>Trust are permanently managing the Trust through the Committee or transferring the trusteeship to an external body (or group of people) and</p> <p>(b) Consider whether Watlington Parish Council would be an appropriate body to transfer the trusteeship to, after considering the written representations from Watlington Parish Council annexed to this report and raising questions with representatives of Watlington Parish Council at the meeting.</p>
<p><b>8.</b></p>	<p><b>EXEMPT ITEMS</b></p> <p>The Committee is RECOMMENDED that the public be excluded for the duration of items 7 and 8 in the Agenda by passing a resolution in relation in the following terms:</p> <p>"that the public be excluded since it is likely that if they were present during the discussions there would be a disclosure of "exempt" information as described in Part I of Schedule 12A to the Local Government Act, 1972 and specified below the item in the Agenda".</p> <p><b>THE MINUTES AND REPORT TO THE ITEMS NAMED HAVE NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.</b></p>
<p><b>9.</b></p>	<p><b>Exempt Minutes (Pages 11 - 12)</b></p> <p>To approve the exempt minutes of the meeting held on 28 April 2022 and to receive information arising from them.</p> <p>The information in this case is exempt in that it falls within the following prescribed categories:</p> <p>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information) and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>The minutes containing exempt information under the above paragraphs are attached.</p>
<p><b>10.</b></p>	<p><b>Rent for Watlington Library (Pages 13 - 60)</b></p> <p>To consider the rent payable for the proposed lease between the Council and the Trust for Watlington Library.</p> <p>Report by the Director of Law &amp; Governance</p>

The information in this case is exempt in that it falls within the following prescribed category:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information) and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

The report containing exempt information under the above paragraphs is attached.

**The Committee is RECOMMENDED to**

**Propose to the Council that the lease terms which the Council put forward for Watlington Library should be amended, increasing the rent being charged to the Council to the sum recommended by the Trust's surveyor in his report at annex 3.**

## CHARLOTTE COXE TRUST COMMITTEE

**MINUTES** of the meeting held on Thursday, 28 April 2022 commencing at 2.00 pm and finishing at 3.10 pm

**Present:**

**Voting Members:**

Councillor Robin Bennett  
Councillor Felix Bloomfield  
Councillor Freddie van Mierlo  
Councillor Geoff Saul  
Councillor Nick Field-Johnson (In place of Councillor Jane Murphy)

**Officers:**

Whole of meeting                      Sukdave Ghuman (Head of Legal Services & Deputy Monitoring Officer), Richard Hodby (Solicitor (Legal Services)) and Colm Ó Caomhánaigh (Committee Officer)

*The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.*

**1      ELECTION OF CHAIR FOR THE REMAINDER OF THE 2021/22 COUNCIL YEAR**

(Agenda No. 1)

Councillor Robin Bennett nominated Councillor Geoff Saul.  
Councillor Nick Field-Johnson nominated Councillor Felix Bloomfield.

Councillor Geoff Saul was elected by 3 votes to 2 and took the Chair.

**2      ELECTION OF DEPUTY CHAIR FOR THE REMAINDER OF THE 2021/22 COUNCIL YEAR**

(Agenda No. 2)

Councillor Felix Bloomfield was nominated by Councillor Nick Field-Johnson and elected Deputy Chair nem con.

**3      APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS**

(Agenda No. 3)

Apologies were received from Councillor Jane Murphy (substituted by Councillor Nick Field-Johnson).

#### **4 DECLARATIONS OF INTEREST**

(Agenda No. 4)

There were no declarations of interest.

#### **5 PETITIONS AND PUBLIC ADDRESS**

(Agenda No. 5)

There were no petitions or requests to address the Committee.

#### **6 EXEMPT ITEM**

(Agenda No. 6)

RESOLVED: that the public be excluded for the part of the discussion of item 7 in the Agenda since it is likely that if they were present during the discussion there would be disclosure of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972 (as amended) and specified in relation to the respective item in the Agenda and since it is considered that, in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

#### **7 BACKGROUND REPORT AND INITIAL RECOMMENDATIONS FOR THE WORK OF THE COMMITTEE**

(Agenda No. 7)

The Committee considered a report on the history of the Charlotte Coxe Trust and the key decisions the Committee will need to make, as well as recommending steps that should be taken before the next meeting of this Committee.

The public was excluded for part of the discussion on this item because discussion of the matters in public was likely to lead to the disclosure to members of the public present of information in the following prescribed category:

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information) and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

Members questioned whether it was correct to seek payment for the time spent working on this by Council Officers as the work would have been part of their normal business. They also questioned whether it was appropriate to seek retrospective payments for currently unknown amounts.

Members asked if planning permission would be needed for work, given that the building was listed. Richard Hodby responded that the licence will specify that the Parish Council will have to comply with all building regulations and listed building

requirements. Any structural work will have to be done by professionals. Work by volunteers will be limited to tasks such as decorating and gardening.

The Chair emphasised that the Parish Council was being asked to make a presentation to enable the County Council to satisfy itself that the Parish Council has the capacity to take on the responsibilities involved.

Action: It was agreed to invite Watlington Parish Council to a meeting of this Committee to present their case and take questions on it. The questioning should include querying if they have taken their own legal advice.

**RESOLVED to:**

- (a) Request a written presentation from Watlington Parish Council (“the Parish Council”) in advance of the next meeting of the Committee explaining why it would be an appropriate manager of the Charlotte Coxe Trust and how it has the necessary technical capacity and resources (including legal, financial and surveying expertise) to deal with the management of the Trust.**
- (b) Request a written presentation from Oxfordshire County Council (“the County Council”) in its capacity as library authority in advance of the next meeting of the Committee with its proposals for the terms of the new lease of Watlington Library.**
- (c) Agree that consideration of matters in connection with 10 Davenport Place should be postponed in view of the recent rejection of the relevant planning application.**

**8 REPORT ON RENOVATION AND LETTING OF 33 HIGH STREET, WATLINGTON**  
(Agenda No. 8)

The Committee had before it a report outlining the work proposed by Watlington Parish Council at 33 High Street, recent requests received by the County Council in connection with the work and proposals for letting the property.

Members discussed whether the proposed use – to provide accommodation for refugees from Ukraine – met the objective of the charity which was to benefit the people of Watlington. The following points were made:

- The refugees would become residents of Watlington – if only for a period of time.
- The building had been vacant for 12 years and this proposal would include the renovation of the building which would be of benefit to the people of the town.
- It was standard practice to make a temporary use of a building while seeking a longer-term use for the community.

The question was also raised as to whether one year would be long enough given the time taken to renovate and for it to be occupied.

**RESOLVED to:**

- (a) Permit Watlington Parish Council (“the Parish Council”) to use volunteers to carry out decorating and garden renovation work at 33 High Street, provided that other work is handled by professional contractors.**
  
- (b) Authorise Oxfordshire County Council (“the County Council”) to grant a 12 month tenancy of the property at a peppercorn rent to Watlington Parish Council which allows the Parish Council to sublet the property to refugees, provided that the Parish Council takes on full responsibility for repair during the term of the tenancy and any profit the Parish Council makes from subletting is returned to the Trust.**

..... in the Chair

Date of signing ..... 200



## Divisions Affected – Watlington and Chalgrove

### CHARLOTTE COXE TRUST COMMITTEE

22 JUNE 2022

### FUTURE MANAGEMENT OF THE TRUST

### Report by Director of Law and Governance

## RECOMMENDATIONS

#### 1. The Committee is RECOMMENDED to

- (a) Agree that the preferred options for the future management of the Trust are permanently managing the Trust through the Committee or transferring the trusteeship to an external body (or group of people) and
- (b) Consider whether Watlington Parish Council would be an appropriate body to transfer the trusteeship to, after considering the written representations from Watlington Parish Council annexed to this report and raising questions with representatives of Watlington Parish Council at the meeting.

## Executive Summary

- 2. Before the Committee was established, the Director of Law and Governance took responsibility (through the powers in Part 7.1 Paragraph 6.4(e) of the Council's constitution) for managing the Trust on behalf of the Council, although there was no written definition of those responsibilities.
- 3. The Director of Law and Governance sought external advice on this and was advised that such an arrangement was not "fit for purpose" as:
  - (a) there was vagueness over the extent of her responsibilities;
  - (b) there was no accountability or transparency;
  - (c) there was no duty to debate and discuss; and
  - (d) she was exposed to allegations of conflict of interest.
- 4. The Director of Law and Governance accepted the advice and is of the view that for the reasons set out in paragraph 3 above it would not be appropriate for her to assume management responsibility again.
- 5. The Committee may decide that for the time being it is appropriate for the Trust to continue to be managed by the Council, but under the supervision of the Committee. That would ensure continuity and ensure the Trust would continue to benefit from the services of the Council's in house legal and financial staff.

6. If the Committee decides to transfer management of the Trust to an external body or group of people, the Committee has a duty to ensure that any successor to the Council is able to manage the Trust to a reasonable standard. Factors to be taken into account in assessing this include experience of managing “community assets” and projects satisfactorily, satisfactory experience of dealing with a regulator, having an appropriate medium and long term plan for the Trust, having suitable governance and safeguarding procedures in place, having connections to the geographical area benefitted by the Trust and having access to necessary financial and legal support.
7. Watlington Parish Council has asked for management and the Trust’s assets to be passed to it and the Committee needs to take into account the factors set out in paragraph 6 above when considering its request.

## **Financial Implications**

8. As the Trust’s assets are separate from the Council’s own assets, changes in Trusteeship should not have direct financial implications for the Council.

Comments checked by:

Richard Quayle, Chief Accountant [richard.quayle@oxfordshire.gov.uk](mailto:richard.quayle@oxfordshire.gov.uk)

## **Legal Implications**

9. The legal advice obtained by the Trustees is that appointing Watlington Parish Council as replacement Trustee would require notification to the Charity Commission, but would not require approval by the Charity Commission. Neither notification nor approval would be required if the Trust remained with the Council.

Comments checked by:

Richard Hodby, Solicitor [richard.hodby@oxfordshire.gov.uk](mailto:richard.hodby@oxfordshire.gov.uk)

ANITA BRADLEY  
Director of Law and Governance

Annex: Statement by Ian Hill on behalf of Watlington Parish Council

Contact Officer: Richard Hodby, Solicitor, Legal Services  
[richard.hodby@oxfordshire.gov.uk](mailto:richard.hodby@oxfordshire.gov.uk) 07825 755552

13 June 2022



## ***WPC involvement with CCT***

There were many previous exchanges between WPC and OCC on the CCT prior to 2013, mainly concerned with the lack of information how the CCT funds were managed. In January 2013 the first formal meeting between WPC councillors and OCC Officers took place which included as one of the four topics discussed was giving Watlington a voice in the management of the CCT and bringing 33 High Street into beneficial use. The meeting decided that Watlington would be better served by an arrangement for putting Watlington suggestions or proposals to the Trustees. This eventually led to a public consultation in December 2014 which generated only nine responses, 1 in favour of freehold disposal of 33 High Street, and 8 in favour of refurbishment of the building and its use for short term lettings.

Although occasional meetings with OCC officers continued, the poor turnout for this consultation effectively stalled progress on the future involvement of WPC in management of the CCT until mid-2015 when the suggestion was made by OCC that WPC take over the trusteeship entirely. Following further delays from a variety of causes, in February 2017 Watlington Parish Council agreed to go ahead with transfer of the trusteeship. Since then, there have been yet more delays, including covid, inclusion of the car park in the CCT land, access to 10 Davenport Place and subsequent planning proposals for 10 Davenport Place.

A "Shadow Trustee Body" was set up in 2016 with membership drawn equally from the parish council and from the Friends of Watlington Library (FOWL) with the intention that it be expanded to include other residents of the town once the transfer of the charity had been completed. In November 2018, WPC and FOWL signed a joint memorandum of understanding to establish a basis for managing the CCT once it had been transferred to Watlington control. In the period since then solicitors employed by WPC have carried out all the necessary checks for transfer of the CCT property from OCC to Watlington control, although a few questions remain.

## ***WPC capability in running a charity***

OCC has quite correctly questioned the parish council's capability in running a charity. WPC has a direct equivalent in the Town Hall charity body. Management of the Town Hall was passed to the parish council over 100 years ago and is now, and has been for over 20 years, run by the Watlington Town Hall Charity Body. The charity has a single physical asset, the Town Hall building built in 1643. In addition, the charity has a sinking fund established to cover long term repairs to the building such as replacement of the roof. The management body for the charity is drawn from parish councillors and residents of the town. In parallel with what is proposed for the CCT, WPC is the custodian trustee for the charity, but the charity body operates entirely independently of WPC. It receives an annual sum from WPC and generates income from letting the hall and the undercroft, with the latter being used as a fruit and vegetable market three days a week. The charity pays WPC an annual fee for use of WPC staff in cleaning the building and managing lettings. In recent years efforts have concentrated on making the hall itself more attractive as a venue for community events through improved heating and redecoration, as well as a battle to control damp in the walls. Rewiring of the building is currently being planned.

In addition to the Town Hall charity which parallels to a large extent the structure proposed for the CCT, there are other charities based in Watlington from which experience of charity management could be drawn to supplement that provided by the Town Hall Charity. These include the

Watlington Support Fund which includes in its governance that two of its eight trustees be appointed by WPC. This charity is an amalgam of several charities and has as its objective to provide support to local people with financial, health and disability problems. It manages a substantial fund for this purpose. A second substantial charity based in Watlington is the Watlington Club which has as its central asset a property placed in trust for the benefit of the residents of Watlington by Rev. Hillgrove Coxe, the husband of Charlotte Coxe. The Watlington Club has no direct link with the parish council. It is home to the local tennis, bowls and squash clubs.

### ***Current position***

The CCT Shadow Trustee Body has not met for some time, primarily because of a reluctance of people to commit further time to something that did not appear to be progressing, as well as the interruptions generated by covid. Attached is a copy of the email we sent in April 2021 summarising the situation as it was then.

You will be aware of the initiative from a Watlington resident, Jeremy Irons, to put a refugee family into the house for a year. That project is progressing well with a lot of the necessary infrastructure (power, water and drainage) now in progress. The parish council supports him in this work.

### ***The future***

There is no point in WPC involvement in management of the trust without a plan for future use of 33 High Street. The presence of an historic building in a prime position on the High Street standing unused for 10 or more years was the prime driver behind WPC trying to get involved in the management of the CCT in the first place. When / if the CCT is transferred to WPC as has been proposed, this will be a focus of the council's input into the charity body.

Although the Parish Council's wish is for the complete transfer of the CCT to Watlington control, it might be that OCC will find it easier to carry out the transfer in two stages; an initial phase where the capital assets remain with OCC as the custodian trustee (following the model described in the final paragraph of the previous page) but with a managing body set up with membership drawn from both OCC and Watlington. The existing Charlotte Coxe Trust Committee (this committee) would continue as it is to provide OCC councillor oversight of the transfer process. The new managing body would take on tasks to provide a gradual resolution of the issues needed to bring 33 High Street back into use. This sounds complicated, but it will provide OCC with full control of all the CCT assets until such time as it able to transfer them, but allow progress to be made on 33 High Street subject to full budgetary control by OCC.

We have over recent years had many suggestions from residents as individuals or groups for use of 33 High Street, some of which are very ambitious. At its simplest this could be refurbishment of the building to provide a two-bedroom home to be let under short term (annual) rentals, with the income from this used to generate a continuing income for other community projects. At the most adventurous (and expensive) end of the spectrum is development of a classroom building in the rear garden to be used to provide a studio for art and craft work or for cookery classes. While nothing is ruled out at this stage, a more middle of the road solution would be to use the ground floor as a space available for meetings or individual tuition classes, with the upper floor converted into a self-contained single bedroom flat. The upstairs bathroom at present is excessively large and could feasibly be split in two to provide both a kitchen and a toilet / shower room.

However, a fundamental requirement of whatever is decided is that it should generate at least some income to support ongoing maintenance of the trusts assets.

From: ian-WPC <ian-wpc@ian-hill.org.uk>  
Sent: 09 April 2021 17:41  
To: Greg Stacy; Steve Harrod; 'annabadcock1@gmail.com'; 'Sharan Uppal'  
Cc: Kristina Tynan

Subject: Transfer of trusteeship of the Charlotte Coxe Charity

It is now over five years since we started on this transfer and eight years since we first met with OCC to discuss the charity. This is a short review of the progress made and the current state of the transfer. Very little appears to have happened over the past year mainly as a consequence of constraints resulting from Covid isolation. With the current easing of the situation we now want to get the process underway again and to understand what the current obstacles to progress are.

We are aware that this month is far from being an ideal time to push progress on this because of the OCC elections, the need for completion of end of year accounts and most probably a backlog of other work as a result of the shutdowns. Nevertheless getting a clear picture of what still needs to be done will allow all parties to focus on pushing this forward.

In summary, the position as we understand it is as follows:

- We have seen Charlotte Coxe Trust (CCT) accounts up to year ending March 2018, but nothing more recent than that;
- We have seen the lease documents for the parking spaces, garages and the flat above the library;
- We have the draft lease arrangements for the library dated 30 June 2016, but have no record of the lease ever being finalised;
- Our solicitors have carried out the necessary checks for the transfer of the property but still require an explicit statement of what would be transferred with the CCT, and possibly a few other issues;
- We have carried out our own due diligence assessment of the transfer, but this probably now needs to be refreshed;
- We are aware of the changes in the lease for the parking space that provides access to the rear of 10 Davenport Place, and have agreed the 50% overage split between the CCT and the County Council should the land accessed through this route be used to create a second (or more) residential property on that land;
- We are not aware what progress, if any, has been made by OCC in approaching the Charities Commission on transfer of the custodian trustee role to WPC.

The priorities for WPC are:

- Resolution of the remaining unresolved issues between LGP (our solicitors for the transfer of the assets of the trust) and the County Council;
- Establishing what the current position is regarding transfer of the trusteeship for the CCT.

Some months ago I suggested that a joint meeting of OCC staff from Law & Governance and from Capital Assets & Investments with representatives of WPC and our solicitors might be helpful in establishing the current progress and the outstanding issues yet to be resolved. If you are still willing to participate in such a discussion we would be happy to arrange an on-line meeting, or if you would prefer, join one organised by OCC. To get involvement of our County Councillor this should be arranged for a date as soon as possible after the election results are published.

Regards Ian Hill

Watlington Parish Council

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of the Local Government Act 1972.

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