



**OXFORDSHIRE
COUNTY COUNCIL**

Charlotte Coxe Trust Committee

Date and time: Thursday, 25 January 2024 at 2.00 pm
Venue: Room 2 - County Hall, New Road, Oxford OX1 1ND

Contact Officer: **Colm Ó Caomhánaigh**
Tel: 07393 001096; *E-Mail:*
colm.oocaomhanaigh@oxfordshire.gov.uk

Membership

Chair – Councillor Geoff Saul

Councillor Robin Bennett

Councillor Felix Bloomfield

Councillor Freddie van Mierlo

Councillor Jane Murphy

A G E N D A

1.	Apologies for absence
2.	Declarations of Interest Please see guidance note
3.	Minutes (Pages 1 - 6) To approve the minutes of the meeting held on 4 November 2022 and the minutes of the meeting held on 31 January 2023.
4.	Petitions and Public Address <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. Requests to speak should be sent to colm.ocaomhanaigh@oxfordshire.gov.uk</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>
5.	Financial Activities for the Year to 31 March 2023 (Pages 7 - 10) Report by Director of Law & Governance The Committee is RECOMMENDED to: a) Approve the Statement of Financial Activities for the year to 31 March 2023 annexed to this report and b) Authorise a Council officer to submit data from the Statement to the Charity Commission online before midnight on 31 January 2024 so that annual financial reporting obligations are complied with.

EXEMPT ITEM

In the event that any Member or Officer wishes to discuss the information set out in the

report to Agenda Item 6, the Committee will be invited to resolve to exclude the public for the consideration of the report by passing a resolution in the following terms:

"that the public be excluded during the consideration of the report since it is likely that if they were present during that discussion 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".

THE REPORT TO THE ITEM NAMED HAS NOT BEEN MADE PUBLIC AND SHOULD BE REGARDED AS 'CONFIDENTIAL' BY MEMBERS AND OFFICERS ENTITLED TO RECEIVE THEM.

6. 33 High Street, Watlington and the Transfer of Trusteeship of the Charlotte Coxe Trust to Watlington Parish Council (Pages 11 - 16)

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

1. Information relating to any individual;
3. Information relating to the financial and business affairs of any person (including the authority holding that information); and
5. Information in which a claim to Legal Professional Privilege could be maintained in legal proceedings

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.

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

The Committee is RECOMMENDED:

- (a) **To allow the family of Ukrainian refugees currently occupying 33 High Street, Watlington to remain there until the earlier of 31 August 2024 and the date when the transfer of the Trust to Watlington Parish Council has completed (at which point the management of the property will cease to be the Council's responsibility);**
- (b) **To instruct officers of the Council to write to Watlington Parish Council on behalf of the Trust (i) expressing its disappointment at the fact it allowed the family into occupation of the property without going through the procedures mandated by the Committee at its meeting on 28 April 2022, (ii) advising that occupation on the current basis should not carry on beyond 31 August 2024 and (iii) advising that occupation beyond 31 August 2024 will require further renovation work to be carried out at the property so its energy performance rating is improved; and**
- (c) **To agree not to pay any of Watlington Parish Council's legal fees.**

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

Members Code – Other registrable interests

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

Members Code – Non-registrable interests

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- a) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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Agenda Item 3

CHARLOTTE COXE TRUST COMMITTEE

MINUTES of the meeting held on Friday, 4 November 2022 commencing at 2.00 pm and finishing at 3.00 pm

Present:

Voting Members: Councillor Geoff Saul – in the Chair
Councillor Felix Bloomfield (Deputy Chair)
Councillor Freddie van Mierlo
Councillor Jane Murphy
Councillor Bethia Thomas (In place of Councillor Robin Bennett)

Officers:

Whole of meeting Richard Hodby (Solicitor (Legal Services)); 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.

19 APOLOGIES FOR ABSENCE

(Agenda No. 1)

Apologies were received from Councillor Robin Bennett (substituted by Councillor Bethia Thomas).

20 DECLARATIONS OF INTEREST

(Agenda No. 2)

There were no declarations of interest.

21 MINUTES

(Agenda No. 3)

The minutes of the meeting held on 22 June 2022 were approved and signed as an accurate record.

22 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 4)

The Chair agreed to one request to speak.

Gill Bindoff reminded the Committee that Watlington Parish Council had been negotiating over the Trust for ten years. They believed that they could manage it

more effectively. They hoped that the library would continue to flourish. They planned to refurbish the cottage. They wanted to work collaboratively with the Council on this.

The Chair invited questions to the speaker and Gill Bindoff responded as follows:

- There were no costings yet on the refurbishment. They would need an engineer's report as there were likely structural problems. It was hoped to raise sufficient funds for this from various sources. If the cottage could be refurbished and let out, that would provide funds for the Trust in the long term.
- She was not suggesting it would be easy to raise the funds but OCC did not have the money either.
- They were initially planning to make the cottage safe and to construct a community building in the long garden to connect with the library extension.
- She hoped the Committee would support the transfer of the Trusteeship in principle. She hoped they could negotiate over OCC's professional costs. The cost of repair would have been much less if there had been proper maintenance by OCC.

RESOLVED 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.

23 EXEMPT MINUTES
(Agenda No. 5)

The exempt minutes of the meeting held on 22 June 2022 were approved and signed as an accurate record.

24 TRANSFER OF TRUSTEESHIP OF THE CHARLOTTE COXE TRUST TO WATLINGTON PARISH COUNCIL
(Agenda No. 6)

The information in the Annexes 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

RESOLVED to:

- a) **Approve the transfer of the trusteeship and assets of the Charlotte Coxé Trust from Oxfordshire County Council to Watlington Parish Council,**

provided that Watlington Parish Council provides an indemnity in respect of liabilities which arise after the date of the transfer;

- b) At the time of the transfer, place a legal obligation on Watlington Parish Council to grant a lease of Watlington Library back to Oxfordshire County Council on the terms summarised in Annex 5; and
- c) Request Oxfordshire County Council to report to the Committee after completion of the transfer with a justification of any professional fees requested for the financial, legal and estates work its officers have carried out, which it (or the Committee) may then seek to recover from the Trust.

..... in the Chair

Date of signing 202

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CHARLOTTE COXE TRUST COMMITTEE

MINUTES of the meeting held on Tuesday, 31 January 2023 commencing at 2.00 pm and finishing at 2.15 pm

Present:

Voting Members: Councillor Geoff Saul – in the Chair

Councillor Robin Bennett
Councillor Freddie van Mierlo

25 APOLOGIES FOR ABSENCE

(Agenda No. 1)

Apologies for absence were received from Councillors Jane Murphy and Felix Bloomfield.

26 DECLARATIONS OF INTEREST

(Agenda No. 2)

There were none.

27 PETITIONS AND PUBLIC ADDRESS

(Agenda No. 3)

There were none.

28 ANNUAL ACCOUNTS

(Agenda No. 4)

The Chair invited Richard Hodby (Solicitor) to introduce the report.

Richard Hodby said that the report included the charity's assets as at 31 March 2022 (including property) were £306,867.

The transactions in the Statement were similar to those shown in the Statement for the year to 31 March 2021. There was a small amount of investment income received, and the Council's financial department had made a charge of £1,200 for its accounting work. Assets were higher (£311,515) as at 31 March 2021 and the difference between then and 31 March 2022 was due to a one off charge of £3,935 for "Governance Costs". These were the fees for the reports from external surveyors and solicitors obtained in connection with the transfer of the Trust to Watlington Parish Council.

Richard Hodby added that any charges that were made to the trust in terms of cost of transport, etc would have to be approved by this committee. Also, all of the receipts from surveyors had been kept by the Council.

It was **AGREED** to:

- 1) Approve the Statement of Financial Activities for the year to 31 March 2022 annexed to this report and
- 2) Authorise a Council officer to submit data from the Statement to the Charity Commission online before midnight on 31 January 2023 so that annual financial reporting obligations are complied with.

NOTE: 3 Committee Members present at the meeting had signed Annual Trust Accounts to 31st March 2022.

..... in the Chair

Date of signing 2023

Divisions Affected – Watlington and Chalgrove

CHARLOTTE COXE TRUST COMMITTEE

25 January 2024

FINANCIAL ACTIVITIES FOR THE YEAR TO 31 MARCH 2023

Report by Director of Law and Governance

RECOMMENDATIONS

1. The Committee is **RECOMMENDED** to:

- a) Approve the Statement of Financial Activities for the year to 31 March 2023 annexed to this report and
- b) Authorise a Council officer to submit data from the Statement to the Charity Commission online before midnight on 31 January 2024 so that annual financial reporting obligations are complied with.

Executive Summary

2. The Statement shows that the charity's assets as at 31 March 2023 (including property) were £307,626. The equivalent figure for 31 March 2022 was £306,867.
3. The Trust received garage rental income of £115 this year along with £1,533 of interest. There was no expenditure. Deducting the annual depreciation charge of £888 meant there was a net increase in funds of £760 (or £761 allowing for rounding).

Financial Implications

4. As the Trust's funds are separate from the Council's own funds this report has no direct financial implications for the Council.

Comments checked by:

Lorna Baxter, Director of Finance and S151 Officer,
lorna.baxter@oxfordshire.gov.uk

Legal Implications

5. Approving the Statement and ensuring the annual Charity Commission return is submitted means that the Council has complied with its duties pursuant to Sections 162 and 169 of the Charities Act 2011. These sections relate respectively to the duty of registered charities to prepare annual accounts and submit an annual return. The Council is the Trustee of the Charity and responsibility for compliance with statutory requirements rests ultimately with it.

Comments checked by:
Richard Hodby, Solicitor, Legal Services

Staff Implications

6. There are none.

Equality & Inclusion Implications

7. There are none.

Sustainability Implications

8. There are none.

ANITA BRADLEY
Director of Law and Governance

Annexes: Statement of Financial Activities for the year to 31 March 2023

Contact Officer: Richard Hodby, Solicitor, Legal Services
richard.hodby@oxfordshire.gov.uk 07825 755552

15 January 2024

Charlotte Coxe Trust
Statement of Financial Activities
for the year ended 31 March 2023

	Unrestricted Funds	Restricted Funds	Endowment Funds	Total Funds	Last Year Total Funds
Notes	2023 £	2023	2023 £	2023 £	2022 £
Incoming resources					
Voluntary Income	-1,200			-1,200	-1,200
Investment Income		-1,648		-1,648	-175
Total incoming resources	-1,200	-1,648	0	-2,848	-1,375
Resources expended					
<i>Costs of generating funds</i>					
Costs of charitable activities	1,200		888	2,088	2,088
Governance costs	0			0	3,935
Total resources expended	1,200	0	888	2,088	6,023
Net incoming(-)/outgoing resources before transfers between funds	0	-1,648	888	-760	4,648
Gross transfers between funds		0	0		
Net outgoing resources before Other recognised gains and losses	0	-1,648	888	-760	4,648
Other recognised gains and losses					
Gains on reclassification of fixed assets for charity's own use			0	0	0
Realised gains(-)/losses on investment assets				0	0
Unrealised gains(-)/losses on investment assets				0	0
Net movement in funds	0	-1,648	888	-760	4,648
Reconciliation of funds					
Total funds brought forward		-82,524	-224,342	-306,867	-311,515
Total Funds carried forward	0	-84,172	-223,454	-307,626	-306,867

Trustee

Name : Anita Bradley

Approved by the trustees on date

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