

Divisions Affected – Watlington and Chalgrove

CHARLOTTE COXE TRUST COMMITTEE

28 APRIL 2022

RECOMMENDATIONS FOR THE WORK OF THE COMMITTEE

Report by Director of Law and Governance

RECOMMENDATIONS

1. **The Committee is RECOMMENDED 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.

Executive Summary

2. Background

The Charlotte Coxe Charity (“the Trust”) (registered charity number 297089) was established on 10 November 1949 when Laura Charlotte Coxe made a gift of freehold land at 33/35 High Street, Watlington to the County Council. The County Council agreed to hold the land “for the benefit of the inhabitants of Watlington”.
3. The County Council remains the sole trustee of the Trust and the Trust is subject to a Charity Commission Scheme dated 1 August 1995. The Director of Law and Governance has acted as “trustee” in the past, but the responsibility has now been passed to the Committee. The governing documents for the Trust are the 1949 Deed of Gift and the Charity Commission Scheme.

4. Charity assets comprise cash funds (currently around £80,000) and the freehold land at 33/35 High Street mentioned above. The freehold land includes an adjoining driveway. 33 High Street is a vacant two storey house, which has sat empty for nearly 10 years. 35 High Street has Watlington Library on its ground floor and a residential flat on the first floor. Watlington Library is operated by the County Council. There is no lease in place and nothing is currently paid by the County Council to the Trust for the use of the library premises. The residential flat is leased for 125 years from 2011.
5. The buildings are Grade 2 listed. The adjoining driveway referred to above leads to an area of “landlocked” land at the rear of 33/35 High Street which is owned by the County Council beneficially and which has no connection with the Trust.
6. The key matters that the Committee needs to consider are set out at paragraphs 7 to 17 below. In addition, considerable officer time has been spent in administering the Trust recently and the Committee will need to make decisions regarding payment for this from trust funds.

Trusteeship

7. There are three options for the long-term management of the Trust: (1) to revert to the previous position with officers (led by the Director of Law and Governance) managing the Trust without oversight, which is not recommended (2) for the Committee to retain long-term responsibility for the management of the Trust and (3) for the Committee to transfer trusteeship to an external body such as the Parish Council to bring management closer to the community. The Committee needs to decide which option to pursue.
8. The Parish Council is keen to take on trusteeship and there have been discussions over the years about this.

Grant of Lease of Library

9. A lease of Watlington Library needs to be granted to the County Council (as Oxfordshire Library Authority) if Watlington Library is to remain in place and terms for this need to be agreed between the Committee and the County Council.

10 Davenport Place

10. 10 Davenport Place, Watlington adjoins the “landlocked” land to the rear of 33/35 High Street owned by the County Council.
11. 10 Davenport Place has an existing right of way from High Street over the Trust-owned accessway and the County Council-owned “landlocked” land, however the right of way is conditional on 10 Davenport Place being used as a single dwelling.
12. The owner wishes to develop 10 Davenport Place into two houses. Planning permission for this was refused by South Oxfordshire District Council under reference P21/S1796/FUL, but the owner is now appealing. There was considerable local opposition to the original application.

13. The Committee needs to make a decision at some stage on whether the Trust is willing to facilitate the development by allowing the rights over the Trust owned land to be varied.
- 33 High Street
14. The Parish Council has embarked on a project to renovate 33 High Street and bring it into a habitable state with a view to it being used for accommodating refugees in the short term.
15. The Parish Council has been allowed to do some limited renovation work to date (eg clearing the back garden), but now is asking to do more substantial work including reconnecting the property to mains drainage and installation of damp proof courses, repainting and replacement of doors. The Parish Council would like some of the work to be done by volunteers rather than professional builders.
16. The property is Grade 2 listed and the County Council (as landowner) is concerned to ensure that all work is done competently and in compliance with listed building requirements as well as building regulations.
17. Urgent decisions need to be made by the Committee in connection with this and with the terms of any tenancy of the property and these matters are the subject of a separate report.

Financial Implications

18. The recommendations in this report relate to requesting presentations and postponing a decision. The content of the presentations may well have financial implications for the Trust and for the County Council which will need to be considered, but requesting the presentations in itself should not have financial implications. Postponing the decision regarding 10 Davenport Place should not have financial implications for the Trust or the County Council, as matters are currently “on hold” pending the planning appeal in any event.

Comments checked by:

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Exempt Information

19. Independent legal advice obtained by the Director of Law and Governance is included in the papers annexed to this report. The public should be excluded during consideration of that advice, because discussion in public would be likely to lead to the disclosure to members of the public present of information in the following categories prescribed by Part I of Schedule 12A to the Local Government Act 1972 (as amended): “5 information in respect of which a claim to legal professional privilege could be maintained in legal proceedings”.

