

To all Hargrave Parish Councillors.

Attached documents.

1926 Conveyance

1973 Deed of Appointment

For best part of the last 50 years the Parish Council and the residents of Hargrave believed that the village hall was owned by the Parish Council, I have discovered that this is almost certainly not the case. My investigations have shown that it is most likely to be owned by The Hargrave Village Hall Charity. I have spent considerable time with help and support from Jill Upton and Antonia King searching through past minute books and piles of documents. I have also been in contact with Suffolk Community Action who have provided their professional opinion. Since 1973 to date the Parish Council has erroneously had oversight of the Village hall via, APM, appointing new members (trustees?), funding, reclaiming vat etc. Any proposed change would seek to regularise the situation.

With SCA's support I have reached my conclusion based on the following evidence.

- There is no evidence of a sister document conveying the remaining responsibilities of the 1926 trust to other parties. In fact, we are now advised the 1926 document itself has no reference to managing responsibilities.
- The Charity Commission has confirmed that the governing document for the charity is the 1926 conveyance. As far as we can tell this document has never been superseded and therefore remains in force as far as the Charity Commission is concerned. Jill Upton is making one final check with the commission.
- The 1973 Deed of Appointment appointed the Parish Council as Custodian Trustee; this does not confer ownership or control. This is explained if you follow this link.

<https://www.communityactionnorfolk.org.uk/sites/content/know-your-trustees-custodian-trustees>

- There is no paper trail as to why someone, for reasons unknown, registered the 1926 document in 1991 with the Charity Commission. The PC was also in possession of the 1926 document and could have/should have registered, but didn't.

The recommendation from SCA is that we should now seek legal advice to regularise the situation. Colin Painter, Jill Upton and I met on Tuesday, 2nd of January 2024 to discuss the situation. Jill Upton will be consulting the other two trustees about the next steps. It is anticipated that they will consider a proposal to transfer ownership to the Parish Council and we will then take further advice to ascertain whether the charity or the Parish Council is the best body to manage the village hall rebuilding.

Denise Osborne has been working hard to identify potential sources of funding for the village hall rebuilding project. Her report will be circulated prior to the meeting. We will need to identify someone in the village who is willing to manage the grant applications but if we can't find anyone in the village, we may need to employ someone as this will be a critical role.

Simon de Laat 8th January 2024