

Langley with Hardley Parish Council

Meeting Date: 7 November 2023

Prepared by: Clerk and Responsible Financial Officer

Subject: Langley with Hardley Parish Trust - A Charity Registered with the Charity Commission

Recommendation: The Trustees engage the services of a specialist charity administrator to bring the Charity administration up to date, or seek to wind-up the charity.

Introduction

The Langley with Hardley Parish Trust, Charity number 1117975, a registered charity established in 2007, is a significant aspect of our community's heritage. This report outlines essential information about the trust, addresses recent concerns raised by a parishioner, and proposes a course of action for immediate attention. Additionally, it's important to note that the Charity Commission has requested updated details; however, there's a complication in accessing the online account due to a previous administrative issue. Furthermore, there have been no recorded meetings of this charity in recent years.

Background

The Trust was created with Langley with Hardley Parish Council as its sole trustee. Its primary purpose is the ownership and management of a parcel of land known as "the pit." This land, approximately one acre in size, is situated opposite the southern end of Cross Stone Road at the junction with Lower Hardley Road. Historically, "the pit" was a sand and gravel excavation site.

Current Status

The Langley with Hardley Parish Trust exists as the landlord of this land, and to the best of our knowledge, this is the sole property under its management. However, the paperwork concerning the trust is incomplete, making it challenging to discern the full extent of the trust's operations over the years.

Recent Concerns

A parishioner has raised questions regarding the rent associated with "the pit." It appears that, initially, the land was rented to a local landowner, Mr. Dennis Tabor, for a fixed term of 5 or 10 years, with an annual rent of £50. From the available

paperwork, it appears that this rent was paid as a lump sum of £500. Unfortunately, the documentation is insufficient to clarify what has occurred since that period, with unsigned agreements and a lack of supporting notes or minutes.

Immediate Actions

In light of these circumstances, we propose the following actions:

1. **Contact the Charity Commission:** The Trustees should immediately get in touch with the Charity Commission to complete the necessary documentation to ensure compliance. The Charity Commission has requested updated details; however, accessing the online account is currently not possible as it is linked to the previous Clerk's personal details.
2. **Purpose Assessment:** The Parish Council should determine the original purpose for which the trust was established and whether that purpose remains valid. If "the pit" still aligns with this purpose, discussions should be reopened with Mr. Tabor to agree on the terms and rent. A formal agreement should be drawn up and signed to establish a clear, transparent arrangement. If not then the charity should be wound-up.
3. **Response to parishoner:** The Parish Council should provide a prompt response addressing her concerns and questions regarding "the pit."

Council's Responsibility

The Clerk and Responsible Financial Officer of the Council has a duty to bring this issue to the attention of Full Council. On behalf of the Council, Cllr Garry Moore has reviewed all the available paperwork and provided much of the information in this report. Should the Council require any further assistance, please consider engaging professional charity law experts who will have both the time and expertise to investigate. The Clerk expresses regret that this issue is beyond one's training and knowledge and that they do not feel able to be the administrator for the Charity (nor is it in her job description).

Conclusion

The Langley with Hardley Parish Trust, Charity number 1117975, with "the pit" as its sole property, requires immediate attention and organisation. Understanding the trust's purpose, fulfilling necessary regulatory obligations, and addressing the concerns raised by parishioners are critical steps toward maintaining transparency and accountability in our community. It is essential to carefully consider the costs associated with managing the trust and ensure that its continued existence serves the best interests of the community. Additionally, the administrative hurdle related to the online Charity Commission account must be resolved promptly to meet their

request for updated details and avoid penalty. Notably, there have been no recorded meetings of this charity in recent years, underscoring the need for increased oversight and engagement.