

Update on behalf of the Trustees of the Reading Room, and of the Hut

At the AGM of the Hut, which was held at the Reading Room on Tuesday, 23 November 2021, a decision was taken that the Reading Room, or to be precise Westcott Village Hall Trust CIO (“the CIO”), should replace the individual retiring trustees of the Hut. That change has now been processed by the Charity Commission. For the first time therefore, the Reading Room and the Hut have come under the control of a single group of trustees, thus creating hope that whatever the village of Westcott ultimately decides it would like out of its key physical assets can be delivered without the historic disagreements and delays in decision-making which created such financial risks that nothing ever happened.

However, the progress just made is only a first step on a long journey and I am now asked by the trustees to help them explain to the village what needs to follow. To start with the very basics, the current trustees of the CIO are Alan Reif, Hugh Parry, Steve Brooks, Janet Phillips and Andrew Lewis. They all live in the village. Constitutionally, they can make decisions on behalf of the CIO as to how the Reading Room operates; as the CIO is now also the sole trustee of the Hut, they (through the CIO) can also determine how the Hut functions, but...

In all the trustees do or don't do, they have to act in full compliance with the law as it applies to charities and to do so in the interests of the inhabitants of Westcott. We, as villagers, are the ultimate beneficiaries of the bequests by which the Reading Room and the Hut were given to the village. The current trustees all came to their roles in the weird and wonderful ways in which these things happen in any village; at some point or other, someone asked for 'help running the village hall', and they agreed to volunteer their time to look after the buildings, to prepare the accounts, to arrange bookings and cleaning rotas etc. None of them claim deep expertise in merging charities, applying for Planning, running building projects etc and the first thing the current trustees have asked me to say is that if anyone in the village feels they might have a useful contribution to make to such processes, then the trustees would welcome hearing about that.

So what comes next? The answer is that before anything remotely exciting can happen, the trustees have to overcome a number of legal issues rooted in the way both buildings were given to the village. The CIO 'operates' the Reading Room, but it does not 'own' it. It holds it as trustee of the original charity by which the Reading Room was founded in 1892, a dormant charity known as Westcott Reading Room Trust. The terms of that trust are incredibly restrictive. To be frank, they make it almost impossible to see how the Reading Room will suffer anything other than a slow and painful decline as the physical fabric of the building becomes more difficult to maintain.

Happily, and somewhat ironically, the solution might be provided by the Hut, which of course is already in terrible disrepair. The Hut building is 'owned' by a charity called The Hut Westcott, of which the CIO has just become the sole trustee. The deed which established The Hut Westcott in 1959 contains trust terms which are more flexible. Subject to agreement by the Charity Commission, they might allow dealings with the Hut's land and buildings if the outcome is to provide better and more suitable provision of a village hall somewhere in Westcott, not necessarily on the site where the Hut is now located.

However, whilst the Hut's trust terms are more favourable when it comes to dealings with its land and buildings, the Hut's constitution is hopelessly out of date, meaning that it will be difficult for the CIO to run the Hut efficiently.

The trustees have taken specialist legal advice on this issue and have negotiated the outline of a solution to the problem with the Charity Commission. In simple terms, and using an analogy which appeals to me as a classic car owner, it involves taking the good engine from a badly rusted vehicle and putting that into the sound body of a car which has blown its own motor. That way, after many hours covered in grease, you end up with one vehicle that you can actually use.

Therefore, against the background that both charities were established with almost identical purposes, i.e. to provide a village hall for the inhabitants of Westcott, the trustees intend now to consult with the village on a so-called 'Cy-près' scheme whereby with the approval of the Charity Commission:

- the land at the Reading Room would be transferred to the Hut, thereby also becoming subject to the more favourable trust terms which already apply to the land at the Hut; and
- the constitution of the Hut would be updated, so that the CIO is able to exercise its powers as sole trustee of the Hut more akin to its own management rules.

The way this process works, is that the trustees will open a formal consultation period with the village which will run from Wednesday, 22 December 2021 until the conclusion of a public open meeting to be held in the Reading Room on Tuesday, 22 February 2022 at 8pm.

A formal notice to such effect appears elsewhere in this magazine. A copy of this update, of the formal notice and of a number of background documents to explain what is proposed in more detail can be viewed at www.westcottvillagehall.com. The website also has a facility to allow you to comment and to ask further questions. The formal notice also sets out other means of commenting for those who prefer not to use the internet.

I would emphasise that the consultation on the 'Cy-près' scheme will not involve consideration of any plans for the redevelopment of either the Reading Room or the Hut sites. To stay with my above classic car analogy, until one road-worthy vehicle rolls out of the shed, there is no point in planning any journeys in it. Only if and when the Charity Commission has agreed that the village is content that the reorganisation should proceed, will the trustees be in the position to determine what redevelopment proposals may be affordable and might secure Planning. All that is for the future, and the Charity Commission will insist on a further consultation exercise with the village if we get that far.

Bernd Ratzke

On behalf of the trustees of Westcott Village Hall Trust CIO
8 December 2021