

Consultation re Raymond Trust Charity Commission Number 0355230 proposed purchase of land - August 2019 – details of responses.

This report contains the results of the recent consultation carried out by the Raymond Trust to ask the Parish whether they should enter into the auction to purchase a piece of land within the village and raise funds to build a village hall.

This consultation is part of the due diligence process which the trust has carried out and has included a valuation of land by Woolley and Wallis, a pre-planning application to Wiltshire Council, a review of the sales pack and legal advice from a trust specialist solicitor.

The auction date was scheduled for 12th September 2019, but a private sale was concluded by the owners of the land and therefore the land was withdrawn from sale. However, it was evident from the information gathered by the trust that it would have been unlikely that the trust would have bid for the land, as there were too many issues highlighted by the information collected.

The Trust have collated the consultation results and this report outlines the views of those who responded. All personal information has been redacted from the forms submitted as no individual should be identified from the consultation.

- There were 81 responses received on the response form prepared by the Trustee, some letters and some emails.
- Some of the results represent the views of more than one person and these numbers have been reflected in the results.
- The number of votes totalled 110
- Votes in Favour of the land purchase 48%
- Votes against the purchase 41%
- Votes not sure 11%

Comments received:

Inconvenience to Neighbours	3%
Village Hall not needed	13%
Village Hall would unite the community and be of benefit	32%
Why was a free village hall refused?	16%
Go back to the Sassoon Trust and negotiate	12%
Protect the Sports pitches	11%
A village hall is not sustainable	2%

No	Votes	Yes	No	Not sure	Comments		
1	1		No		The cost to build on a sloping sight has been estimated too low. Unacceptable noise to neighbours.	Far better to purchase the playing fields and build a small village hall there together with changing facilities for the sports clubs.	
2	1	Yes			I think it is good for the community		
3	1		No		Village hall not needed. Will not unite the village		
4	1		No		This is the worst hare-brained scheme put forward by the Trust. The field has a considerable slope and will require sewerage treatment schemes, electric power and also outside the village boundary.		
5	1	Yes			I support the trust's idea and hope that it will be approved by all		
6	1			Maybe	I am relatively new to the area and may not fully be aware of the previous discussions. Before buying land, the need should be established. This will then dictate the suitability of the land.	At first glance there may be better sites for a hall.	In my experience there are an increasing number of village halls that have become quite a drain on local resources.
7	2	Yes			Every village should have a village hall for the benefit of the community.		
8	1	Yes			Support in the interest of unifying the village		
9	1		No		The idea is Ok in theory	The building cost is low. Getting the village to finance will be difficult.	I assume the planners have been asked if permission is likely?
10	2	Yes			We hope that you will be successful in buying the land for the purpose of building a village hall. This would be an asset to the village.		
11	1	Yes			This is an excellent opportunity for a village hall		
12	2		No		Wrong place for a village hall.	Needs to be on the site of the sports pitches and have changing facilities to guarantee regular income	
13	1		No		The earlier offer in Heytesbury Park was very much better		
14	2		No		A village hall is in the past	The School Church and pubs are not fully utilised and functions are poorly attended. A new hall would not be any different	
15	1		No		No need for a village hall		

No	Votes	Yes	No	Not sure	Comments		
16	2			Neither	Can the Trust demonstrate that a hall without sports provision would be sustainable?	Concentrate on securing the sports pitches	
17	1	Yes			As long as the whole project is well thought out, financed and linked to the demographics of Heytesbury as a village, this could be good idea.		
18	2		No		In favour of having a village hall but unlikely that the Charity will be able to receive sufficient support. A large majority do not want a village hall	Consideration should be given to attached landowners and how they would be affected	
19	2		No		Impractical site	Bonkers not to have taken the original offer	Difficult for the village to raise funding
20	1		No		This is a ridiculous idea A waste of money	The village was offered a free hall and sports fields in exchange for housing. Stupidity of turning it down.	
21	1			Yes	Given a choice between a village hall and more housing we prefer a village hall. Is there a proven case for a village hall?		
22	1		No			Why waste £400k building a village hall when one was going to be provided free?	
23	1			Yes	It is a good idea to have a village hall but I am not interested in raising money myself especially when we have already been offered a village hall for free		
24	1			Yes	I urge the RT to bid for this land as there will almost certainly be an agent for the traveller community.		
25	1	Yes			An idea of a village hall is appealing but could the village sustain its upkeep?	Purchase the land and turn it into a wildflower meadow	
26	1	Yes			I support the RT in purchasing this land and it will benefit the whole community		
27	1	Yes			I think using the trust money to buy the land would be an excellent idea for the village		
28	1		No		Failed to mention the development uplift with the DOT The Land is outside the village envelope Planning permission is not guaranteed Site is difficult and sloping	You have turned down a free site	As trustees you may be liable regarding maladministration £400K to raise is way under likely cost which is likely to be £600K
29	2		No			Priority to preserve the sports pitches and aim to get a village hall in the park setting	

No	Votes	Yes	No	Not sure	Comments		
30	1	Yes			Would accept if due diligence proves positive and a village hall could be provided	Would have preferred the Sassoon Trust offer of a free hall and protection of the sports pitches.	
31	1	Yes			Good idea as long as we know we can get planning permission. Several people think it is not possible.		
32	2	Yes			We think it would be a very good thing if this prize piece of land came into the ownership of the RT of behalf of Heytesbury		
33	2	Yes			As a young family this sounds like a wonderful opportunity for the community and is certainly a space, we would use for birthday parties and hub for other events. You have our full support		
34	1		No			Residents want a village hall but not at the expense of the sports pitches.	Everything must be done to secure both for the village and the best deal that the Sassoon Trust can offer Go back and start again
35	2	Yes			We think it is an excellent idea. We do need to use some of the RT monies. A village hall in the western part of the village is better.		
36	1	Yes			I am in support of this. I think a village hall would be a great addition to our village.		
37	1	Yes			Sounds Ok to me		
38	1	Yes			I am in favour of attempting to buy the land. Another plot is unlikely to become available for many years and is an investment. A village hall will follow eventually.		
39	1		No		I think that the monies available should be used to enhance the village in other ways such as a paid job for keeping the village tidy.		I fully support the use of the open church and feel that offers many opportunities for the village. I don't feel that the idea of a village hall has very much support.
40	1	Yes			It seems a good idea to investigate this option. Would the vendors enter into a private sale?		Have the neighbours been consulted?
41	1	Yes			The trust should buy the land to erect a village hall. They should carry out the wishes of the majority.	Any other organisations purporting to represent the village should be ignored or go through the proper election process. The will of the village by vote should carry the day.	
42	1		No		No further correspondence on this subject thank you		

No	Votes	Yes	No	Not sure	Comments		
43	1	Yes			I am in favour of purchasing the land on the basis that a village hall will be built on the land.		
44	2	Yes			We agree that it would be a prudent investment for the village money pot.	A careful and professional survey will be necessary and a detailed plan for the purchase at auction.	
45	2	Yes			Yes, go ahead and buy the land.		
46	2		No		This is an appalling and ill-conceived idea. The trustees have a legal responsibility to act in the best interests of the village as a whole.	How can this proposal be feasible when offers for a village hall and sports pitches have been turned down?	Planning permissions would not be known at the time of purchase or whether it would be given.
47	1		No			I cannot support when you were offered a village hall for free with the sports pitches. Go back to the Sassoon Trust and start again.	
48	2		No		We are concerned that the trustees are even considering purchasing the land for what they consider a suitable site for a village hall.	In our opinion the location for such a facility would be as near as possible to the existing sports area. It is pity that the Parish Council turned down the opportunity of a free village hall in return for 23 much needed homes in the village.	The trust expectation of raising £400k is impossible.
49	1			Yes	I am bemused – what is happening to the Sassoon Trust site?	What is happening with the sports site?	
50	1		No		Unwanted unneeded and unaffordable village hall. The trust infers that it somehow represents the views and wishes of the residents of Heytesbury. They do not. We need a proper village consultation.	Land disguised as a development opportunity for affordable houses that are not needed.	Outside the village boundary.
51	2	Yes			While we are unsure of the viability of a village hall, the purchase of the land at an acceptable cost, would be a beneficial asset to the community.		
52	2	Yes			We agree that the RT should buy the land for the benefit of the residents of the village.		
53	1	Yes			A wonderful opportunity to kick-start our village hall. A much-needed venue to help our community become more socially cohesive.		
54	2		No		Unbelievably ridiculous	We had the opportunity to be given a village hall, retain the football and cricket pitches, in exchange for houses. Would support this option	

No	Votes	Yes	No	Not sure	Comments		
55	2	Yes			Excellent idea		
56	1	Yes			Excellent idea. With united effort, hard work a village hall could be possible.		
57	1			Yes	I support the village hall concept in principle		
58	2			Yes, to a village hall	Have you carried out a survey?	Why do the trustees keep refusing the Sassoon offer? This offer has been available for over 20 years and the trustees should be giving their full support.	
59	4		No		We still believe that a village hall is unnecessary and not a viable proposition and will become a white elephant. We feel better use could be made of the money		
60	2	Yes			This sounds a great idea and would be an ideal location for a village hall, close to the school and centre of the village.		
61	1	Yes			I have longed to see the building of a village hall to bring the village community together.		
62	1	Yes			I feel this is an excellent idea, much safer access to the site and not interfering with the village's oldest residents.		
63	1	Yes			A village hall would be a good idea especially for fund raisers and the youngsters.		
64	1		No		I do not want or see the need for a village hall. Funds could be used on easily delivered projects of a more beneficial nature.	The village does not have the drive to raise funding	
65	1	Yes			I think the RT should buy the field.		
66	1		No		I personally do not want one. Concerns over neighbouring properties at this site.	There is not a will to raise the necessary funds.	Funds could be better used rather than embarking on a project which cannot be delivered to the community.
67	2	Yes			We would be very happy to have a village hall in Heytesbury as it would be nice to have the use of a hall.		
68	1	Yes			I support the trust buying the field for a village hall		
69	2		No		Should you be gambling with the trust money when you were offered a site and a village hall for free		
70	1	Yes			A village hall is a heart of a village and missing in Heytesbury.	If we can't get a hall free, we should try this option.	

No	Votes	Yes	No	Not sure	Comments		
71	2	Yes			We would love to have a village hall in our village, it will be a benefit to the whole village.		
72	1		No		Should have bought the function room at the back of the Red Lion	You had an offer of a free village hall	
73	1		No		Too expensive and most likely little used.	Build a small extension to the church in order to facilitate kitchen and toilets especially as the new roof has cost a fortune already.	
74	1		No		Believe that Parish Councillors have their own agenda and should be reminded that they are elected to serve the needs of the village, if you buy this land	Not in agreement with building houses on the Sassoon Trust land.	
75	1		No			The cricket club would welcome any support from the Parish Council in negotiating with the Sassoon Trust and protecting the sports pitches.	
76	1		No		Purchase of land at auction and a long fund-raising effort to build a village hall would make the village resentful.		
77	2		No		We would question if a village hall is needed.	The Sassoon Trust offer should be appreciated.	The church will be able to provide a venue for many more events after its restoration.
78	1		No		The village may ask why you now feel that the purchase of the field for a village hall and raising sufficient funds to build one is possible	You have made little or no effort to work with the Sassoon Trust to safeguard the sports pitches.	
79	1	Yes			Seems sensible depending on the costs		
80	2	Yes			Would be in favour of the Parish buying the land.		
81	2			Not Sure	Letter submitted with 13 questions to the trust		
Totals	111	53	46	12			

CONSTITUTION

1. Name

The name of this Charitable Corporate Association is

RAYMOND TRUST FUND

(The Charity)

Registered with the Charity Commission no. 305523

2. Administration

The Charity shall be administered by the elected Councillors of Heytesbury Imber & Knook Parish Council. the sole corporate trustee, it will actively seek charitable purposes in the parishes of Heytesbury, Knook, Tytherington and the immediate vicinity.

3. The Charity's Objects/Purposes

These were originally laid out in clause 1 of the 1935 Deed but were amended by clauses 3 and 4 of the 1986 Charity Commission Scheme when the Charity no longer had a hall to manage but funds. The current objects/purposes of the Charity are as follows:

3.1. Application of Income

The trustee shall apply the clear income of the Charity as it thinks fit for any charitable purposes for the general benefit of the inhabitants of Heytesbury, Knook and Tytherington and the immediate vicinity.

3.2. Application of Property

The trustee at any time may apply the whole or part of the property of the Charity in or towards defraying the cost of providing land and buildings to be settled upon trust for use as a village hall.

4. Powers To further these objects/purposes

The Trustee shall have power to:

- 4.1. Obtain, collect and receive money or funds by way of contributions, donations, grants or any other lawful method towards the objects/purposes of the trust.
- 4.2. Associate with Local Authorities, voluntary organisations and the residents of the Parish in a common effort to carry out the objects/purposes of the Charity.
- 4.3. Do all such lawful things as will further the aims of the Trust.
- 4.4. To employ and remunerate such staff as necessary for carrying out the work of the charity.

5. Membership

The members of the Charity are the elected members of Heytesbury Imber & Knook Parish Council. Should any councillor cease to be serving as an elected member of the Parish Council, their membership of the Trust would be immediately relinquished.

6. Trustee Committee

- 6.1. Trustee committee shall meet in public with agendas and minutes publicly available.
- 6.2. The Chairman of the parish council shall be chair of the trustee committee.
- 6.3. An appointed administrator will undertake secretarial, treasury and record keeping duties.

7. Meetings & Proceedings of Trustee Committee

- 7.1. A public Annual General Meeting (AGM) shall be held annually in September.
- 7.2. Notice of the AGM shall be published three weeks beforehand and a report on the Trust's financial activity for the previous year shall be made available at the same time.
- 7.3. The Trustee Committee shall meet in at least four times each year in addition to the AGM.
- 7.4. The Chairman shall act as such at meetings of the Trustee Committee. If the Chairman be absent from any meeting, the members of the Trustee Committee present shall elect one of their number to act as Chairman for the duration of the meeting and before any business is transacted.
- 7.5. A quorum will be four (4) of the Trustee Committee
- 7.6. A member of the trustee committee must:
 - 7.6.1. Declare the nature and extent of any interest, direct or indirect, which he/she has in a proposed transaction or arrangement with the Charity or in any transaction or arrangement entered into by the Charity which has not been previously declared; And
 - 7.6.2. absent him/herself from any discussions of the Charity trustee in which it is possible that a conflict will arise between his/her duty to act solely in the interests of the Charity and any personal interest (including but not limited to any personal financial interest). Any member of the trustee committee, absencing himself/herself from any discussion in accordance with this clause must not vote or be counted as part of the quorum in any decision of the Charity Trustee on the matter.
- 7.7. Every matter shall be determined by a simple majority of votes. In the case of equality of votes, the Chairman shall have a casting vote.
- 7.8. A proper record of all transactions and meetings shall be maintained by the administrator.

8. Income & Expenditures

- 8.1. The funds of the Charity, including any donations, contributions and bequests, shall be paid into the bank account operated in the name of the Charity.
- 8.2. All cheques or other payments drawn on the account will be signed by two of the authorised bank signatory members of the Trustee Committee. The payment item will have been previously authorised and minuted by the majority vote of the Trustee Committee.
- 8.3. The Income and property must be applied solely towards the promotion of the objectives.
 - 8.3.1. A member of the Charity Trustee committee is entitled to be reimbursed out of the property of the Charity or may pay out of such property reasonable expenses properly incurred by him/her when acting on behalf of the Charity.
 - 8.3.2. A member of the Charity Trustee committee may benefit from Trustee indemnity insurance cover purchased at the Charity's expense in accordance with and subject to the conditions in section 189 of the Charities Act 2011.

9. Accounts

The Trust Committee shall comply with their obligations under the Charities Act 2011 and any subsequent legislation with regard to:

- 9.1. the keeping of accounting records for the Charity
- 9.2. the preparation of annual statements of accounts for the Charity

- 9.3. the auditing or independent examination of the statements of the accounts of the Charity
- 9.4. the transmission of the statements of account of the Charity to the Charity Commission

10. Annual Report

The Trustee Committee shall comply with their obligations under the Charities Act 2011 with regard to the preparation of an annual report and its transmission to the Charity Commission.

11. Annual Return

The Trustee Committee shall comply with its obligations under the Charities Act 2011 with regard to the preparation of an annual return and its transmission to the Charity Commission.

12. Annual General Meeting (AGM)

12.1. There shall be an AGM of the Charity which shall be held in the month of September each year or as soon as practicable thereafter

12.2. Every AGM shall be called by the Chairman of the Trustee Committee and the administrator shall give at least 21 days' notice to the Parishes of Heytesbury and Knook

12.3. The Chairman of the AGM shall be the Chairman of the Trustee Committee for the time being, but if he or she is unable to attend the members of the Trustee Committee shall elect a Chairman before any business is transacted

12.4. The Trustee Committee shall present to each AGM the report and accounts of the Charity for the preceding year

13. Notices

Members will receive notices in electronic form but may elect to receive such notices by post

14. Dissolution

14.1. The trustee committee may dissolve the charity if they decide that it is necessary or desirable to do so and is passed at a special meeting by a two-thirds majority of the trustee committee. To be effective, a proposal to dissolve the charity must have the majority approval of the inhabitants of Heytesbury, Knook and Tytherington following consultation, and must have approval of the charity commission. Any assets of the charity that are left after the Charity's debts have been paid (the net assets) must be given:

14.1.1. To another charity (or other charities) with objects that are the same or similar to the charity's own, for the general purposes of the recipient charity (or charities); Or

14.1.2. To any charity for use for particular purposes which fall within the charity's objects.

14.2. The Commission must be notified promptly that the charity has been dissolved and, if the trustee was obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send the Commission the charity's final accounts

15. Amendment to the Constitution

Amendments to this constitution can be made except for section 3 which relates to the Trust Deeds. Any procedural amendment to the constitution should be put forward in writing to be discussed at an ordinary meeting and voted on by a majority vote.

16. Disputes

If a dispute arises between the trustee committee, about the validity or propriety of anything done by the members of the Charity trustee committee under its deeds or constitution, and the

dispute cannot be resolved by agreement, the members party to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

17. The meetings of the Trustee Committee

Members shall follow the parish council standing orders where this constitution is silent on meeting arrangements such as calling a meeting, quorums and behaviour at meetings.

Membership Councillors:

VANESSA STURMEY

PATRICIA FELLOWES

ANTHONY WILSON

MARK BUTTON

EMILY McGUIRE

KAREN RIGGS

CARO BARKER-BENNETT