



Neil Robertson
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Victoria Hall Trust

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24th November 2020

Dear Mr Robertson

Charity: Victoria Hall Trust, Ealing. Unregistered charity number: 4057721

I write to confirm the Trustee's response to the matters addressed in your Decision Review issued to the Trust on 3rd April 2020.

This letter is accompanied by a number of attachments as follows:

1. The report taken to a meeting of the Trustee held on 29th June 2020 (see [this link](#)). This was a meeting of the Trustee (acting by the General Purposes Committee of the Council) held as a virtual meeting and open to the public which considered the content of your Decision Review;
2. The appendices to that report;
3. A written submission to the Trustee made on behalf of the Friends of Victoria Hall (FoVH) and considered at the meeting of the Trustee on 29th June 2020;
4. A record of the decisions taken by the Trustee at the meeting of 29th June 2020, being Appendix 4 to the report, which is annotated to show the decisions taken in respect of each items referenced in the Charity Commission's Decision Review;
5. The Report taken to a further meeting of the Trustee held on 30th July (see [this link](#));
6. A record of the decisions taken at that meeting, endorsing this response;
7. A further valuation report, commissioned by the Trustee to further advise on the value of the Trust's assets
8. A copy of the revised Community Use Protocol which has been further developed in dialogue with the Developer (together with a PDF comparison to enable the Commission to see and understand the matters dealt with). These further strengthen the arrangements for ongoing use of the Trust property by beneficiaries;



9. A copy of the advertisement and application pack for the role of Co-opted Independent Trustee to sit on the board of the Victoria Hall Trust (see also [this link](#)).
10. Report (10th November 2020) to Ealing Council's Cabinet (see [this link](#)) showing (at recommendation 1.3) that the council's Chief Finance Officer is currently predicting a General Fund revenue overspend of £23.260 million.

At the meetings of the Trustee on 29th June 2020 and 30th July 2020, we considered in detail the findings and recommendations contained within the Commission's Decision Review issued to the Trust on 3rd April 2020. Account was also taken of representations made on behalf of the Friends of Victoria Hall.

Through discussion and debate at each of these meetings and in consideration of the matters raised by the Charity Commission in its Decision Review, the Trust determined in summary:

- a. To agree further revisions to the Community Use Protocol now strengthened to ensure (i) the hotel operator will be obliged to let the facilities for community use, (ii) confirm how this will be monitored by the proposed Community Use Working Group and (iii) include more specific controls on the hire of the Victoria Hall and Queen's Hall. This is dealt with in attachment 8.
- b. That, subject to these further changes to the Community Use Protocol, the Trustee is now satisfied as to how the Community Use Protocol would be enforced. This is dealt with in attachments 5 and 6;
- c. That the proposed additional procedures to further manage conflicts of interest be put in place going forward including the decision to appoint an independent co-opted Trustee through an open recruitment process. This is dealt with in attachments 5, 6 and 9;
- d. That the information received with regard to the current lease structure provides suitable control for the Trust and that amendments to the Community Use Protocol will reflect strengthened control over the use of the Queen's Hall. This is dealt with in attachment 5; and
- e. That a further report be sought from the Trust's valuers in response to comments made by the Charity Commission in its Decision Review relating to the value of the Trust's assets. This is dealt with in attachment 7.

Accordingly, the Trustee, being mindful of its duties (as very helpfully explained in the Decision Review), wish to continue with the cy pres application based on the revised case now presented which seeks to address the matters raised in the Decision Review.

The Trustee believes that this letter and its attachments fully demonstrate that the proposals now amount to a more suitable and effective use for the Charity's property. The Commission intimated in its Decision Review that provided if this were the case, then the existing draft Scheme can be modified and made. It was noted that a calendar year was allowed for this (being to 2nd April 2021) enabling the notices already given under section 88 of the 2011 Act to remain valid.

In reaching its decisions over the course of events, the Trustee has been aware of the Council's position as landlord of the Charity property. As before, that remains a material factor, further exacerbated by the financial impact on Council resources of the COVID-19 pandemic. Attachment 11 confirms this.

In relation to the Scheme, the Trustee also resolved:

1. That its share of premium and rent will be a permanent endowment and that we will invest any income to produce an income rather than seek replacement or other facilities;
2. This income will be used by the Trustee to further the objects of the Charity, including by way of giving direct financial support to beneficiaries in the use of the Trust property;
3. Conflicts of interest will be managed by means of the decision to co-opt an independent, non-voting trustee (as amplified in attachment 5, paragraph 2.15). Note that, following a full public advertisement campaign, shortlisting and interviews, two extremely well qualified candidates were identified. Because the Trustee had only authorised appointment of one co-opted trustee, a recommendation will be brought to the Trustee at its next meeting to seek approval to appoint both of these excellent candidates.
4. Further, the Trustee confirms its undertaking to register the Charity when the Scheme is made – pursuant to paragraph 2.1.7 of the Decision review.

On behalf of the Trust, I ask that you please now confirm that the Trust may continue with and complete the cy pres application. The Trust is extremely anxious to progress this important opportunity to secure the long-term future of the Trust Property and move on to enhance and re-open the Trust Property (including the cy pres arrangements) for the benefit of all our beneficiaries.

Yours sincerely,



Cllr Kamaljit Kaur Nagpal
Chair, Victoria Hall Trust