

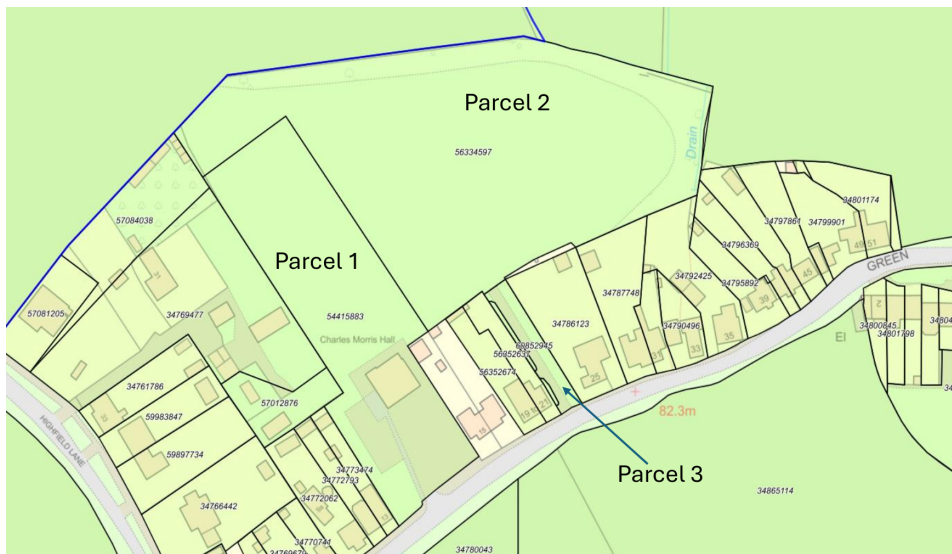
CHARLES MORRIS HALL
WORKING PARTY REPORT



date	Version		by
16 Sept 2024	final	For CHPC meeting on 24 September 2024	Cllrs Tallents, Clemow and Shaw

The Working Party met with the Clerk on 14 August and viewed various documents relating to land registration previous requested. A follow up meeting was held on 21 August.

- 1 Conveyances of land and covenants, available to the Working Party, at and adjacent to the Charles Morris Hall as shown on the figure below, have been reviewed and indicate the following.



Parcel 1 HD 518 757
Registered 2012

Parcel 2 is HD 533 627
Registered 2014

Parcel 3 is HD 535 788
Registered 2020

- 1.1 The document received from a CMH trustee in May 2022 indicates Parcel 1 was conveyed by Captain Roger Ogilvy Sanders to the Parish Council of St Peters Rural (pre-decessor Council to Colney Heath Parish Council) by Deed dated 6th May 1935. The conveyance is marked *“Enrolled in the books of the Charity Commissioners for England and Wales pursuant to the provisions of Section 6(2) of the Mortmain & Charitable Uses Act 1888, and Section 1 of the Mortmain and Charitable Uses Act Amendment Act, 1892.”*
- 1.2 A letter dated 30 August 2024 has been issued to the Charity Commission requesting confirmation of the document, if current does that mean the land is held by the Parish Council in trust, and does the conveyance constitute a charitable purpose, and should a charity be registered.
- 1.3 Further research indicates land conveyed to a local authority and enrolled in accordance with Mortmain and Charitable Uses Acts are held by the authority in trust.
- 1.4 Subject to the Charity Commission’s response the registered boundaries of Parcels

1 and 2 may need to be amended at the far end of Parcel 1.

1.5 Parcels 2 and 3 were purchased by the Colney Heath Parish Council from St Albans District Council in January 1968.

1.6 A deed of covenant between the Colney Heath Parish Council and the National Playing Fields Association (now Fields in Trust) for Parcels 2 and 3 in February 1968. There is no record of Parcel 1 being protected by Fields in Trust.

2 Cllr Clemow was invited to a meeting of the trustees of the Charles Morris Hall charity on 21 August 2024.

He set out the actions the working party had agreed to take namely

- a. to write to the Charity Commission regarding the May 1935 conveyance
- b. to draft preliminary heads of terms for lease for the Charles Morris Hall for discussion with the CMH trustees
- c. to provide an indicative timeline of actions to achieve a lease agreement by the current lease expiry dated of 1st July 2025.

He requested the CMH trustees to advise the CHPC on the updating the charity's constitution which is currently formed by the lease and deed of trust expiring in July 2025.

(Cllr Parish, a CMH trustee, absented himself for the entirety of Cllr Clemow's attendance).

3 Preliminary heads of terms have been drafted for initial without prejudice discussion between the CMH working party and CMH trustees to reach agreement in principle prior to appointing solicitors. Solicitors for the Parish Council will prepare the draft of the formal Heads of Terms based on the preliminary agreement for agreement by solicitors appointed by the CMH trustees.

Thereafter the formal lease for agreement will be drafted and placed before Council for approval prior to signature.

Cllr Clemow has discussed the intended process with the chair of CMH following which he issued a copy of the document for CMH review on 10 September.

A meeting is planned in October between the working party and CMH trustees to review their comments on the preliminary heads of terms.

4 Subject to the Charity Commission's response to 1.2 above it may be necessary to visit the National Archives to see if the May 1935 conveyance is held there.