

**Ealing Voice email to Charity Commission 18 12 2017 ref NM C-462805**

[cscorres1@charitycommission.gsi.gov.uk](mailto:cscorres1@charitycommission.gsi.gov.uk)

**Re: Victoria Hall Trust**

I am writing as a founding member on behalf of Ealing Voice in connection with the Victoria Hall charitable trust, for which Ealing Council have proposed a scheme to modify the charitable objects and dispose of the asset via a long lease to a hotel operator, Mastcraft Limited.

In 2015 Ealing Voice sought and obtained registration of Ealing Town Hall, of which the buildings covered by the Victoria Hall Trust form part. We have now been consulted as a stakeholder in connection with the proposed cy pres scheme.

Ealing Voice has a number of issues with the scope of consultation, which, having seen the correspondence as part of an FOI request, we feel is not in accordance with the requirements placed on Ealing Council as trustees by the Charity Commission. In addition we believe that the trust has been mismanaged for a number of years and that this has directly resulted in the current financial circumstances that are being used as a justification by the council for the proposed scheme including disposal of the asset.

Although we have received some information in response to our FOI request made around six weeks ago this has not yet been fully complied with. In addition, due to information that has come to light, we have now submitted a further request primarily to clarify the current financial situation. It is apparent that the council have not been keeping separate accounts for the trust. What is clear is that a significant income is being generated from trust assets, but it appears that this is being used in part to defray expenses across other parts of the town hall site.

It is our belief that the trust in its original form remains relevant, and we would argue viable. We further believe that the only reason for the cy pres scheme is to allow disposal of the entire town hall to Mastcraft, which will result in the two halls and associated rooms covered by the trust being operated for commercial profit in contravention of the original terms of trust. The council does not propose that the trust is compensated financially for the loss of this asset which has a capital value of many millions of pounds. None of this forms part of the current consultation.

We shall be writing separately to Ealing Council and will copy that to the Charity Commission for your information. In that letter we shall be asking that the current consultation is withdrawn and replaced with a new consultation that covers all relevant matters. We shall also be asking that the council removes the agenda item from the full council meeting scheduled for Tuesday 19<sup>th</sup> December proposing that decisions relating to the scheme are delegated to a general purposes sub-committee. The councillors are not fully aware that they are trustees and that, in our opinion, this results in joint and several fiduciary responsibility and the requirement to act independently of their council role. We shall be asking that the situation with regard to the trust, including its true current financial position, is made clear to the councillors, along with their responsibilities to the trust, prior to any vote of the full council.

Ealing Voice