

## WHY IS THE INSTITUTE CLOSED?

### *What is happening with the Anson Trust?*

These are questions, which are concerning many villagers, and I consider that they should be addressed. Indeed Jack Spicer has raised the matter of the Institute in last month's letters column. In this article, I intend to do just that.

I should start by explaining how I am involved. As the current Chairman of the Parish Council, I am aware of matters relating to the Trust and the Parish Council. In response to a request from the Trust, and with the aim of broadening the governance of the Trust, the Council was asked to nominate (along with other organisations) two of the directors of the new charitable company, the Arthur Anson Memorial Trust Limited. I was nominated by the Council as one of several directors of the company (the other nominee was Malcolm Denton). (Directors are unpaid).

In order to understand the current situation, it is necessary to set out some of the history of the Trust and its objectives. The Trust was established by the Anson sisters in 1913 in memory of their brother Arthur Anson and its objects were for the welfare and recreation of the people of Marcham. The original endowment comprised the Institute and its site, the Anson field and 12 cottages (in various states of disrepair). The Trustees were the incumbent vicar and two churchwardens who were responsible for the management of the Trust along with a Diocesan Trustee (nominated by the Oxford Diocese). In my opinion it would be fair to say that affairs were generally left to run their course and management of the Trust could not be described as active. The outcome was a slow decline in the financial affairs of the Trust with the consequent sale of the cottages over time.

The present Trustees, have had to deal with the consequences of that decline; hence the formulation of a proposal to sell the Institute site and develop a new building on the Anson field. Following consultation with parishioners and groups within the village, the proposal was modified to retain the Institute but realise some capital from the site by selling off part of the site for development. Planning permission for six houses was obtained in September 2004 (subject to a section 106 agreement). At this point the Ex Servicemen's Club came forward with a claim to rights over the car park and are subsequently pursuing the matter through the courts. There have been meetings aimed at resolving the dispute, mediated by Jane Hanna our Vale Councillor

and subsequently by John Duffield, but these have not lead to a resolution.

It is in the light of these developments that the decision to close the Institute was taken. There were two principal reasons; with the granting of planning permission it was necessary to prepare for the sale of the development land and this would necessitate the transfer of users to the building on the Anson field and more importantly, in the light of the dispute, the legal advice received by the Trust was that closure was recommended. That decision has now become almost irreversible due to the state of the finances of the Trust (see below).

I have referred to the Anson Trust and the Anson Company and some explanation is required. The present Trustees, as I stated earlier, have shown willingness and a desire to improve the management of the Trust. One means of doing this has been to improve and widen the governance arrangements. (This is also consistent with good practice for charitable Trusts). The Trustees have put in hand the establishment of the Anson Company, which is now taking over responsibility for the operation and management of the Trust. This means that more parishioners are involved and the Trust is more representative of village sentiment and opinion.

There are a few more facts that need to be understood in order to better comprehend the current situation. These are the financial position of the Trust, the role of the Diocese and the role and requirements of the Charity Commissioners. The finances of the Anson Trust comprise its income and its endowment. The Trust cannot access the endowment except in special circumstances and even then only with the permission of the Charity Commissioners. The Trusts income comprises income from day to day activities plus a small investment income from the endowment. Many will be shocked to learn that the Trust's current account is now at very low level and the Trust is in danger of being unable to meet its bills. This is why the reopening of the Institute is not feasible in the current circumstances.

The involvement of the Oxford Diocese, whilst of itself not unhelpful, has had the unfortunate consequence of slowing down decision making, involving a further body and requiring additional (expensive) legal advice.

The position of the Trust is also deeply affected (perhaps afflicted is the better description!) by the Charity Commissioners. As a consequence of the previous history of the Trust and the straightened financial

circumstances, the Charity Commissioners have taken a keen interest in the operation of the Trust. This has not been entirely helpful and one of the consequences is that the Trust has been obliged to rely heavily (in my opinion to a harmful degree) on professional advice and in certain matters has had its freedom of action curtailed. For example, if the Trust wished to pursue a certain course of action with regard to the legal proceedings, referred to above, it would be obliged to follow the advice of its legal team, even if that were not the Trust's preferred course! The baleful influence of the Charity Commissioners' rules has also made life very difficult for the Trust. The Charity Commission rules require the Trust to let its facilities at a commercial rent, other than for charitable groups. This has led to the ludicrous position where the Trust should seek a commercial rent for the use of the sports pitches and facilities. (The Charity Commissioners have granted a temporary derogation so that the Trust is not doing this currently, but will have to eventually). This makes relations with the sports users very awkward, as they find it hard to believe that these rules are so. The Trust sympathises deeply with them but cannot defy the Charity Commissioners. Kafkaesque is the word that springs to mind!

Sorry to take up so much space in MAD News but I do believe the facts, as least I as I understand them, need to be publicised and hopefully villagers will have a better understanding of the situation. Finally, I would like to say that I believe that the Trustees and Directors who now manage the Trust are men and women of great goodwill, who have a sincere desire to provide the best possible facilities for Marcham and who are doing their best in very trying circumstances.

### **COLIN BOUGH**

**NB** I have written this article on a personal basis and not in my capacity as a Director of the Anson Company; the opinions and views expressed are entirely mine.

---

## MARCHAM AND DISTRICT EX-SERVICEMEN'S CLUB

Shortly after the Second World War had ended, a group of local ex-servicemen met for a beer and chatted and discussed how life was treating them after their military service. In time they formed an Association and met in local pubs. Amongst their members was the local vicar.

As time went on, it was mooted that it would be good if they had a place of their own in which to meet. The vicar, as an Anson Trustee, came up with the idea of using the