



Swaffham Town Council

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PLEASE REPLY TO: Richard Bishop, Town Clerk **E-mail:** townclerk@swaffhamtowncouncil.gov.uk

14th April 2022

Charity Commission
PO Box 211,
Bootle,
L20 7YX.

Dear Sirs,

Ref Charity No. 1072912 Swaffham Relief in Need Charity

I am writing to you as the designated Charity Correspondent for the past 20 years and to inform you that I am in the process of handing this over to a new correspondent in the very near future.

In on-going discussions with the proposed new administrator, we have found an anomaly with the Charitable status, as your website records the 1998 Trust deed documentation, not an amended scheme agreed back in 2002 (see attached). I can confirm that the Charity has been governed under the amended scheme since 2002, but in terms of a 'hand-over' as far as the Charity Commission is concerned is the Charity legally constituted under the 2002 amended scheme, or should they in fact revert back to the 1998 Trust deed? The latter having Swaffham Town Council as the managing Trustee.

The other crucial point is confirming the Charity Commission advice given back in 2001 (see attached correspondence) in respect to correcting a land ownership issue, resulting in the transfer of funds to the Town Council of some £635,000 from a land sale of £935,000. As the land sold by the Charity was found to be partially owned by the Town Council, a fact accepted by both the Charity Trustees and by Town Councillors at that time. A decision was taken by both parties and the transfer of funds was made, based on the correspondence exchanged with the Charity Commission at that time. Could the Charity Commission please retrospectively confirm their approval of the action taken?

In addition to the various documents included with this letter, I have prepared a summary report that details where the Town Council are with this issue. The two points above are crucial to the hand-over process, as I understand that the existing Trustees, providing they can continue in the way they have been for the past 20 years under the revised scheme, wish to discuss further revisions to the 2002 scheme. If they cannot continue and the Town Council remain as the Charity Trustee, then it will be the Council that wish to prepare a scheme for the Charity to move forward. With the second issue being the transfer of funds and retrospective approval, the desire is to be able draw a line in the past and enable the Charity to move forward, removing any ambiguity.

If there is further documentation that you require, or questions you need answering please do come back to me as soon as possible. We seek your advice on the best way to proceed for the Charity, as the intention back in 2002 remains what it is today, to sever the overall responsibility from the Town Council, by widening the scope and expertise of the Trustees. I look forward to hearing from you in due course.

Richard Bishop
Town Clerk
Swaffham Town Council