

THE CHILTON POLDEN PARISH ROOM aka The Church Hall

- In all the legal documents this village asset is identified as the Parish Room and is held in a Trust, created in an Indenture of 1908, for the benefit of the inhabitants of Chilton Polden. It was called the Parish Room from 1894 until May 1976 when it began to be called the Church Hall.
- The Room is built on its own Trust land at the other end of the village to St Edwards and is of very modest size covering almost all of the plot of 60ft by 18ft.
- When legal ownership was transferred by an Omnibus Conveyance of the 2nd June 1949 to the Diocesan Board of Finance, title was claimed under the Indenture of 1908.
- Early in 2011 the Parochial Church Council, who by then had taken over from the Incumbent the role of Administrative Trustee, opened discussions with the village regarding the handover of the management of the Room to them.
- At this time the existence of the Indenture of 1908 as the title to the ownership of the Room was not made public and discussions were held on the basis that the Room had been funded by the Church for use for Church purposes. In fact the Room has always been funded independently by the villagers.
- In the autumn of 2012 the Parish Council became aware of the existence of the Indenture and advised the Village Hall Group of its relevance as to the ownership and use of the Room.
- When the Village Hall Group in early 2013 decided that it would not meet the Vicar to discuss the significance of the Indenture, and instead accept the offer of an Albemarle Lease, the Parish Council decided that they should identify the Trust contained in the Indenture and the applicability of such a lease to the Room.
- As an Albemarle Lease is only necessary when the premises has been used primarily, if not wholly, for Church purposes (Charity Commission Guidance CC18) it was necessary to have information on the use of the Room during the 120 years of its existence.
- The evidence now available locally shows that the Room has been preponderantly and regularly used for social welfare under the management of the Church. This shows that the Trust of 1908 in favour of the inhabitants of Chilton Polden has been observed.
- This means that an Albemarle Lease is inapplicable and an alternative Scheme overseen by the Charity Commission, recognising the Trust and use of the Room, passing the management directly to a lay Charity is the right way forward.
- For this to proceed it is necessary that the Parochial Church Council which has been managing the Parish Room must recognise that the true use of the Room for over a century has been predominantly social and inform the Diocese and its legal advisers of this fact.

Agreed by the Parish Council as a correct statement of the facts at the Council meeting on the 12th November 2014.