



CHARITY COMMISSION
FOR ENGLAND AND WALES

By e-mail only to Oakham
Town Council

Charity Commission
PO Box 211
Bootle
L20 7YX

Our ref: DJB 220946/ C-188188-Q2B1

Date: 22 October 2025

Dear Sirs

THE VICTORIA HALL

Thank you for your e-mail regarding the above charity. You have asked about the Council being appointed as sole trustee and issues related to this.

- The legal and procedural requirements involved in transferring trusteeship of the charity to Oakham Town Council.

The current trustees with the agreement of the council and those organisations with appointing or nominating rights under the provisions of the governing Schemes may by resolution passed under section 280A of the Charities Act 2011 as amended, alter the trustee provisions of the Schemes to allow for the appointment of the council as sole trustee. The current trustees should refer to our guidance on amendments: [Trusts and unincorporated associations: changing your governing document - GOV.UK](#). It is important that organisations with appointment rights are consulted and agree to the change.

- Any conditions, limitations, or potential conflicts of interest that may arise where a local authority acts as sole trustee of a charitable trust.

The title to the property is vested in the Official Custodian for charity lands on behalf of the charity. It can be complicated if the title was held by the Council as holding trustee and managing trustee. If there is a majority of current trustees who are councillors for Oakham Town Council there may be an unmanageable conflict that will require the consent of the Commission to authorise. The Council must be aware that the trust property remains on the current trusts and will not become part of the Council's corporate property. Any disposal must be in accordance with the governing Schemes and Charity Law. Please refer to our guidance OG56 Local Authorities as trustees [Resources - Charity Commission Operational Guidance - Knowledge Hub](#)

- The governance and reporting obligations that would apply to the Council in such a role.

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t: 0300 066 9197 (General enquiries)

w: www.gov.uk/charity-commission

The above guidance has more details on these matters however the Council as trustee must report on the charity's activities and financial statements separate from any Council Business. The charity is a distinct entity and must be governed according to its governing Schemes and Charity Law. It is not part of the Council, the Council would be the corporate trustee and responsible for the charity's governance under the Law.

- Any preparatory steps or formal applications that should be undertaken before such a change could be considered.

The Council will need to consider carefully the impact of what they would be taking on, how it would undertake and carry out charity activities and administer the charity whilst fitting in its own statutory functions.

You have also said that the Council recognises that the charity's current aims and objectives are outdated, as they focus on supporting agricultural labourers. We would need to update the charitable objects to reflect the current needs of the community and ensure the charity continues to operate in line with modern community priorities and legal requirements.

The trustees of the charity, whether the Council as corporate trustee or elected individuals may alter the objects. The trustee/s should consider our guidance with reference to the legal tests that we would consider particularly for the need for us to consider that:

- as far as is possible and desirable, whether the new purposes are similar to the original and current purposes of your charity
- the need for the new purposes to be suitable and effective in current social and economic circumstances

[Trusts and unincorporated associations: changing your governing document - GOV.UK](#)

I hope that this is helpful.

Yours faithfully

David J Bishop
Regulatory Authority Caseworker

E: cscorres1@charitycommission.gov.uk | **W:** www.gov.uk/charity-commission

Contact Centre: 0300 066 9197

<https://www.gov.uk/government/organisations/charity-commission/about/personal-information-charter>