

CHARITIES COMMITTEE

Date: Thursday, 7th February, 2013.
Venue: Committee Room, Council Offices,
Kirkby in Ashfield at 6.30 p.m.

You are hereby requested to attend a meeting of the above Committee to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the agenda set out below.

P.G. MARSHALL
Chief Executive

MEMBERSHIP

K. Barsby (Chairman)
M. Coppin
A. Davidson
L.M. Gibbons
K.A. Morrison

AGENDA

1. To receive apologies for absence, if any.
2. Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests.
3. To receive and approve as a correct record the minutes of a meeting of the Committee held on 15th March, 2012 (Pages 4 to 6).
4. Teversal Community Centre and Recreation Ground Trust ["Teversal Grange"] Charity Number 522310 (Pages 7 to 12).
5. Charities Committee - Revised Terms of Reference and Delegation (pages 13 to 19)

If you require an adjustment to enable you to participate or access the meeting, please contact the Democratic Services team at least 48 hours before the meeting (telephone 01623 457314 or e-mail s.oldham@ashfield-dc.gov.uk)

DECLARATIONS OF INTERESTS

There are two types of interests **Disclosable Pecuniary** and **Non Disclosable Pecuniary/Other Interests**.

Upon receipt of the attached agenda and reports you are urged to carefully read each item and determine whether you have an interest in any of them.

A standing item appears on every agenda in respect of interests and you should declare your interest at this stage in the proceedings. However, if you do not do so and it occurs to you during the discussion on the item that you should have declared an interest you must declare the matter as soon as it becomes apparent.

The following is a summary which has been prepared to assist you in deciding at the meeting whether you have an interest. It is not intended to be in substitution for the full provisions of the Code of Conduct which are contained in Part 5 of the Constitution.

Disclosable Pecuniary Interests

A Disclosable Pecuniary Interest is an interest in relation to a Member if it is of a description specified in Regulations and either:-

(a) it is an interest of the Member's, or

(b) it is an interest of (i) the Member's spouse or civil partner, (ii) a person with whom a Member is living with as husband and wife, or (iii) a person with whom a Member is living with as if they were civil partners, and the Member is aware that that other person has the interest.

A schedule of Disclosable Pecuniary Interests defined by the Secretary of State is set out at the end of this document. Failure to register a Disclosable Pecuniary Interest is an offence under the Localism Act 2011 and could lead on summary conviction to a fine not exceeding level 5 on the standard scale or disqualification for a period of up to 5 years by a court dealing with such an offence.

Action to be taken – Disclosable Pecuniary Interests

Where a matter arises at a meeting which relates to a Disclosable Pecuniary Interest, the Member shall declare the interest and not participate in a discussion or vote on the matter and must withdraw from the meeting room or Chamber during the whole consideration of the item unless a dispensation has been sought and granted.

Non Disclosable Pecuniary/Other Interests

Where a matter arises at a meeting which relates to a Non Disclosable Pecuniary/ Other Interest, a Member should declare that interest to the meeting and having done so, is then free to remain, speak and vote on the matter under consideration.

SCHEDULE OF DISCLOSABLE PECUNIARY INTERESTS Regulation 2

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either: (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you are in any doubt you are urged to contact Ruth Dennis, Simon Oldham or the Democratic Services Team, preferably in advance of the meeting to discuss the matter. It would be even more helpful if details of your particular circumstances could be emailed so that a written response can be provided.

CHARITIES COMMITTEE

**Meeting held in the Committee Room, Council Offices, Urban Road,
Kirkby-in-Ashfield,**

on Thursday, 15th March, 2012 at 6.15 p.m.

Present: Councillor K. Barsby, in the Chair;
Councillors M. Coppin, L.M. Gibbons and D.J. Kirkham.

Apology for Absence Councillor A. Davidson.

Officers Present: Mrs. R. Dennis, Miss J. Robinson and P. Talbot.

CC.6 Declarations of Interest by Members and Officers

There were no declarations of interest made.

CC.7 Minutes

RESOLVED

that the minutes of the meeting of the Charities Committee held on 18th October, 2011, be received and approved as a correct record.

CC.8 Teversal Community Centre and Recreation Ground Trust [“Teversal Grange”] Charity Number 522310

The Strategic Projects and Trust Development Manager presented the report and reminded Members that a number of issues concerning the governance of this Charity had been ongoing. The report highlighted the main areas of progress in relation to the following:-

- Constitution for the Trust
- User Rights and Responsibility Agreement (URRA)
- Teversal Grange Advisory Committee Minutes
- Teversal Trail Visitors' Centre
- Teversal Football Club
- Teversal Cricket Club
- Teversal Grange Bowls Club
- Teversal Grange Country Inn
- Community Payback Scheme

The Strategic Projects and Trust Development Manager gave a brief update to the Committee in respect of the current situation at Teversal Grange Country Inn.

He advised Members that the renewal of the lease had been a long and difficult process. Negotiations had been ongoing due to the lease being legally 'held over' and due to a downturn in business a rent holiday was agreed. Unfortunately, the company had failed to resume payments despite numerous attempts to recover it. Consequently, the rent arrears for these premises were now considerable and the business had now ceased trading and gone into receivership.

Following these events the Trust had been approached by a number of parties who had expressed an interest in taking over the premises and the Council was currently in discussions with all interested parties.

The current lessee had offered to pay the outstanding rent but requested that the Council forego the necessary termination period, namely 3 months.

The Assistant Chief Executive (Governance) advised Members that the Charities Committee has to act in accordance with the best interest of the Trust and that it would therefore seem most prudent to accept the current lessee's request to surrender the lease, to recover the rent if possible and to waive the 3 month notice period. This would enable the Teversal Grange Country Inn to be relet as soon as possible, thus securing future income to the Trust without any undue delay.

The Chairman was pleased to report that at a recent meeting of the Teversal Grange Advisory Committee thanks were conveyed for the work undertaken by all those involved with the Community Payback Scheme. The letter of thanks and subsequent reply was attached to the agenda for Members information.

Members considered alternative options to the courses of action outlined in the report but were advised that retention of the current arrangements would expose the Council as Sole Trustee to potential breaches of charity law.

RESOLVED that

- (a) progress in relation to discussion with the Charity Commission regarding the draft Constitution for the Trust, be noted and approved;
- (b) progress regarding the signing of the Users Rights and Responsibility Agreements (URRA's) with the relevant groups, be noted and approved;
- (c) the minutes of the meeting of the Teversal Grange Advisory Committee held on 11th January, 2012, be noted;
- (d) progress made by the Teversal Visitor's Centre Association, be noted;
- (e) it be recommended to Council that the existing lease in respect of the Teversal Grange Country Inn be brought to an end by way of surrender on the basis that the Council recovers rent, which is considered to be reasonable by the Service Director, Economy (in consultation with the Chairman of the Charities Committee) under the circumstances and waives the three months notice period accordingly;

- (f) it be recommended to Council that the Service Director – Economy, in consultation with the Chairman of the Charities Committee, be authorised to proceed with the letting of the Teversal Grange Country Inn on the best terms possible for the Trust;
- (g) progress made by the Trust in respect of work undertaken with the football, cricket and bowls clubs, and the contribution of the Community Payback Scheme, be noted;
- (h) the Monitoring Officer be instructed to review the terms of reference of Council, Charities Committee and delegations to Officers in respect of charity matters and report back to the next meeting of the Charities Committee.

Reasons:

1. To ensure relevant charity law is complied with.
2. To ensure the Charity is efficiently and effectively managed in furtherance of the Charity's purposes.

The meeting closed at 6.32 p.m.

Chairman.

AGENDA ITEM: 4.

REPORT TO: CHARITIES COMMITTEE **DATE:** 7th FEBRUARY 2013

HEADING: **TEVERSAL COMMUNITY CENTRE AND RECREATION GROUND TRUST [“TEVERSAL GRANGE”] CHARITY NUMBER 522310**

PORTFOLIO HOLDER: **REGENERATION, CULTURE AND HOUSING**

KEY DECISION: **NO** **SUBJECT TO CALL-IN:** **NO**

PURPOSE OF REPORT:

To inform Members of further progress made in respect the Teversal Community Centre and Recreation Ground Trust [Teversal Grange] Charity Number 522310 and to decide issues requiring reference to the Charities Committee.

IMPLICATIONS:

1. **Corporate Plan:**
Stronger and more resilient communities where people want to live, work, play and be involved, achieved by:-
COMM 1: Helping vulnerable people access the support they need, when they need it
COMM 2: Promoting, encouraging, and supporting Local Leadership in Ashfield
2. **Human Resources:**
There are no HR issues identified within the report.
3. **Legal:**
Have contributed to the report.
4. **Financial:**
The Trust's finances have been badly affected by the absence of a tenant in Teversal Country Inn for over six months. The Teversal Country Inn needs to be successful so that those reserves can be replenished and the future of the Trust secured. The legal changes outlined do not indicate changes to financial arrangements of the Trust.
5. **Environmental/Sustainability:**
The recommendations in the report have no direct impact on the Council's environment or sustainability
6. **Diversity/Equality:**
There are no adverse diversity/equality identified within the report.
7. **Community Safety:**
With reference to Section 17: Crime and Disorder Act 1998 (as amended) there are no crime and disorder implications contained within the report.
8. **Other Implications:**
Unison – Not applicable.

RECOMMENDATION(S)

Committee is asked to:

1. Note the actions taken relating to the Teversal Grange Country Inn.
2. Note the minutes of the meetings of the Teversal Grange Advisory Committee held on 18th April 2012, 11th July 2012, 8th August 2012, 10th October 2012 and 20th November 2012.
3. Consider if it wishes for a wider review of the powers and membership of the Advisory Committee to take place
4. That the progress made by the Trust in respect of work with the football club, the cricket club and the bowls club be noted.
5. That the submission of the Trust accounts for the financial year 2011/2012 as required is noted.

REASONS FOR RECOMMENDATION(S)

To ensure relevant Charity Law is complied with. To ensure the Charity is efficiently and effectively managed in furtherance of the Charity's purposes.

ALTERNATIVE OPTIONS CONSIDERED (with reasons why not adopted)

The Committee may consider alternative courses of action to those outlined in the report, however any alternative must also comply with Charity Law.

TEVERSAL COMMUNITY CENTRE AND RECREATION GROUND TRUST [“TEVERSAL GRANGE”] CHARITY NUMBER 522310

Members need to be aware that a number of issues concerning the governance of this particular charity have been ongoing. A brief explanation, the progress made and the recommendations suggested on those issues are as follows;

1. Teversal Grange Country Inn.

1.1. Following on from the meeting of the Charities Committee on 15 March 2012, much of the efforts of officers have been focussed upon the re-letting of the Teversal Grange Country Inn.

1.2. Members will recall that the Teversal Grange Country Inn had closed due to the financial position of the then tenants. The Council authorised the surrender of the Lease on payment of outstanding rental monies to enable officers to seek new tenants. The Lease was surrendered on the payment of all outstanding rent. The Council authorised the Service Director, Economy, in consultation with the Chairman of the Charities Committee to proceed to let The Grange on the best possible terms for the Trust.

1.3 Appraisal - Potential Tenants Teversal Grange

Following the departures of the previous tenant of Teversal Grange the Council received seven enquiries about the possibility of taking over The Grange.

The Council also discussed with two firms of Surveyors if there were any active pub chains looking to expand into the area, and made known to them the availability of Teversal Grange.

Of these enquiries two interested parties were asked to provide proposals / business plans as to how they proposed to viably run The Grange. The business cases were evaluated by Council officers including the Audit Section. An Officer Decision was taken by the Service Director, Economy in consultation with the Chairman of the Charities Committee on 8 August 2012 and new lessees have been in occupation since that time.

The new lessees' business case consisted of written details of their proposal and three years cash flow projection, a testimonial as to extensive previous experience in the restaurant, public house and hotel trade. Two satisfactory references were obtained and directors have given personal guarantees. The robustness of the cash flow projections was tested and assessed as being sound.

The Football Club's proposal was based on The Grange becoming a Charity and all profits being reinvested in the site, so was an entirely different approach to the conventional landlord and tenant arrangement of the previous tenant and the proposal by the new lessees. The Football Club provided written details and a 2 year cash flow projection. It was intended to not pay a rent in a conventional manner - all surpluses / profits would be paid into the Trust instead of a rental payment, which was believed would allow a greater payment to the Trust as, after overheads were paid, any profit that a conventional tenant would retain themselves would be paid directly into the Trust. The Football Club has experience of running a bar at the ground but no wider experience was evidenced. The Football Club believed that by converting the legal form of The Grange into a Charity would enable them to receive relief from the payment of business rates of 80%. This would provide a significant increase in the ability of the Grange to create a profit / surplus.

The cash flow projection for 2 years was tested for robustness in the same manner as the other business case. A number of concerns as to the soundness of the forecasts were identified.

1.4 Reasons for the Decision taken to Lease the Grange

- The Grange had been empty for approximately 6 months and was costing the Trust for security and business rates for that period. In the interests of the future viability of the Trust a new tenant was required quickly in order to reduce these costs and provide an income to the Trust. The new lessees were able to be up and running for the Christmas trading period. By comparison, it was unclear from the business case how long it would take the Football Club to get all the charitable elements organised to enable their business plan to work.
- Experience of running venues of this size.
- Robustness of financial appraisal and future projections.
- It was thought unlikely the Football Club would be able to obtain the business rate relief, which would have a detrimental effect on their ability to make a surplus for the Trust.

1.5. With the Teversal Grange Country Inn now re-let, this should significantly improve the overall finances of the Trust, especially in regard to the Trust's liabilities for NNDR.

2. Teversal Grange Advisory Committee.

2.1. The minutes of meetings since the last Charities Committee are listed as background papers below.

2.2. The Advisory Committee has asked the Council to explore and review changes to the powers and membership of the Advisory Committee and the Terms of Reference of the Charities Committee. A report concerning revised Terms of Reference will be presented as a separate item to this Committee.

2.3 Members of the Committee are asked to consider if they wish for a wider review of the powers and membership of the Advisory Committee to take place.

3. Teversal Trail Visitors' Centre.

3.1. The Teversal Trail Visitors Centre continues to be a valued member of the Trust.

3.2. Recent discussions at the Teversal Grange Advisory Committee have resulted in the number of representatives for the Teversal Trail Visitors' Centre being reduced from 2 to 1 in line with the requirements of the current Constitution.

4. Teversal Football Club.

4.1. Ashfield District Council continues to work with the football club on a number of developments and improvements including the provision of technical support for physical improvements.

4.2. The football club has applied for further grant funding and a letter of support along the lines of the letter attached as Appendix 1 has been provided.

5. Teversal Cricket Club.

5.1. Ashfield District Council continues to work with the cricket club on the provision of a tea room and associated facilities. Planning permission has recently been granted and some preparatory ground works have been undertaken with the assistance of the Community Payback Scheme.

5.2. The cricket club have prepared an application for grant funding which is currently being reviewed and amended by the Trust. A letter of support along the lines of the letter attached as Appendix 1 has been provided.

6. Teversal Grange Bowls Club.

6.1. The bowls club continue to make improvements, including an extension to the rink irrigation system.

7. Charity Commission.

7.1. The Trust accounts for the financial year 2011/2012 have now been prepared and audited and have been submitted to the Charity Commission as required.

8. Grant Funding.

8.1. As indicated above, the Trust has supported both the Football Club and Cricket Club in recent grant applications. Whilst the wording within the letter of support [see Appendix 1], which was based on previous letters of support, had resulted in the successful granting of monies in the past, this has not been the case on these occasions.

8.2. Most grant funders wish to see the applicant having some significant security of tenure, usually in the form of a lease. The granting of a lease guaranteeing security of tenure, especially for exclusive use of the land by the applicant, could be contrary to the individual charitable aims of the charity as the Trust purpose requires use of the facilities by the “inhabitants of Teversal, Stanton Hill, Skegby and the neighbourhood thereof” and thus envisages an element of general public use.

8.3. One of the ways in which security of tenure can be demonstrated is for the Trust (the Council as Trustee) to apply jointly in partnership with the club and for the Trust to be the lead partner. This would require officers to sign grant applications on behalf of the Trustee and, if successful, to receive and control grant monies awarded. There is no current delegation authorising the Committee or officers to make such decisions. A report concerning revised Terms of Reference will be presented as a separate item to this Committee.

BACKGROUND PAPERS

Teversal Grange Advisory Committee meeting minutes 18th. April 2012
Teversal Grange Advisory Committee AGM meeting minutes 11th. July 2012
Teversal Grange Advisory Committee meeting minutes 11th. July 2012
Teversal Grange Advisory Committee meeting minutes 8th. August 2012
Teversal Grange Advisory Committee meeting minutes 10th. October 2012
Teversal Grange Advisory Committee meeting minutes 20th. November 2012

REPORT AUTHOR AND CONTACT OFFICER

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To whom it may concern

Teversal Grange Charitable Trust [Registered Charity Number 522310]

Teversal Miners Welfare Centre and Sports Ground became a Charitable Trust in 1989. Since then the Trustee, Ashfield District Council, together with the Advisory Committee, a consultative body which advises the Trustee in the administration and management of the Charity, has done much to improve the sporting and recreational facilities.

Security of Tenure of Clubs

The security of tenure of the clubs remains so long as the Charity Scheme is in existence. The arrangements in the Charity Scheme provide for their permanent place on the Advisory Committee and their representation cannot be changed without Charity Commission approval, copy of the Charitable Scheme attached.

Grant Application

I can confirm that the Trustee is aware of the works being proposed and have assisted with them by providing technical support including the preparation and provision of architect's drawings.

I hope the above information is satisfactory. If you require any further information, please do not hesitate to contact me, details above.

Yours faithfully,

Paul Talbot
Strategic Projects and Trust Development Manager

AGENDA ITEM: 5.

REPORT TO: CHARITIES COMMITTEE DATE: 7 FEBRUARY 2013

**HEADING: CHARITIES COMMITTEE – REVISED TERMS OF REFERENCE
AND DELEGATIONS**

**PORTFOLIO
HOLDER:**

KEY DECISION: NO SUBJECT TO CALL-IN: NO

PURPOSE OF REPORT:

To seek approval for revised Terms of Reference of the Charities Committee, detail the retained role of the Council in relation to the Charities for which it is the Sole Trustee and to revise the delegation to officers.

IMPLICATIONS:

1. Corporate Plan:

Ashfield District Council is an enabler of local leadership in Ashfield.

- Providing effective and value for money services
- Ensuring our people, structures, systems, processes and practices are 'fit for purpose'

2. Human Resources:

There are no direct HR implications other than the delegations to Officers dealt with in the report

3. Legal:

Legal issues are set out in the body of the report.

4. Financial:

No financial implications are raised as a direct result of this report.

5. Environmental/Sustainability:

The recommendations in the report have no direct implications for the Council's environment or sustainability.

6. Diversity/Equality:

There are no direct equality comments.

7. Community Safety:

There are no crime and disorder implications raised in the report.

8. Other Implications:

None.

RECOMMENDATION(S)

To recommend to Council for approval the revised Terms of Reference for the Charities Committee, the retained role of the Council in relation to Charities for which the Council is the Sole Trustee and the delegations to the Service Director, Economy as contained in the report.

REASONS FOR RECOMMENDATION(S)

To ensure the Charities Committee is properly constituted in accordance with legislation and to ensure relevant Charity Law is complied with.

To ensure the terms of reference and delegations to officers remains fit for purpose.

**ALTERNATIVE OPTIONS CONSIDERED
(with reasons why not adopted)**

The Committee could recommend alternative terms of reference and delegations.

CHARITIES COMMITTEE – TERMS OF REFERENCE AND DELEGATIONS

The Charities Committee was created by the Council on 11 December 2008, in line with advice received from the Charity Commission. The Council was strongly advised to create a Charities Committee to enable it to effectively manage all the Charitable Trusts for which it is the Sole Trustee.

The provisions of Section 101 Local Government Act 1972 give the Council the power to establish Committees such as the Charities Committee. Council resolved that the remit of the Charities Committee is:

“To deal with all matters concerning the day to day management and administration of the Charities for which the Council is the Sole Trustee.”

The Committee’s role is to assist the Council as Trustee in:-

- (i) ensuring compliance with Charity Law and reduce the risk of breaches of what is wide-ranging and complicated legislation;
- (ii) maintaining control over the Trusts;
- (iii) acting within the purposes of the Trusts;
- (iv) ensuring that management of the Trusts focuses on their best financial interests;
- (v) allowing day to day decisions to be taken without the need to report to Council.

The Terms of Reference for the Committee which were originally approved in 2009 and amended slightly in 2011 are incorporated into the Council’s Constitution at Part 3, Sections 1.1 and 1.8 and are attached as Appendix A.

Committee will recall that it recommended to Council, which subsequently approved on 15 March 2012, (C.97 refers) that:

“the Monitoring Officer be instructed to review the terms of reference of Council, Charities Committee and delegations to Officers in respect of charity matters and report back to the next meeting of the Charities Committee.”

The Committee was concerned that elements of the existing terms of reference did not enable swift action to be taken in certain situations because of the need to refer matters for approval to the Council.

Committee is asked to consider for recommendation to Council for approval the amended delegation attached as Appendix B with proposed changes shown in italics which it is suggested should deal with the concerns previously raised by the Committee.

BACKGROUND PAPERS

None

REPORT AUTHOR AND CONTACT OFFICER

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Ruth Dennis

ASSISTANT CHIEF EXECUTIVE (GOVERNANCE) & MONITORING OFFICER

APPENDIX A – Existing Terms of Reference

Council Will Retain Responsibility for the Following:

- Approval of land transactions – disposals including sales/leases but excluding licences and short hiring arrangements
- Membership of the Charity Committee
- Constitutional/Governance issues and changes
- Mortgages
- Decisions to dissolve a Charity
- Receive an Annual Report from the Charities Committee including accounts relating to the Trusts
- Approval of the Annual Report and Accounts for the Registered Charities
- Making of Byelaws
- Approval of Rules and Regulations and Legal Agreements relating to User Groups
- Fundraising
- Scheme of Delegation to Officers
- Development of Trust Assets (such as new buildings or refurbishments or alterations)

Charities Committee Will be Responsible for:

- Day to day management and administration of the Charities
- Receiving reports and requests from Advisory Groups
- Delegation of specific management and administration issues to Officers as relevant
- Fiscal arrangements
- Making recommendations to Council in respect of any of the functions retained by the Council

Scheme of Delegations to Officers – to be Approved by Council:

Service Director – Economy

- Grant, renewal and variation of licences, wayleave agreements and short term hiring agreements
- Emergency repairs/maintenance of Trust land and buildings
- Day to day expenditure

Charities Committee - Terms of Reference

- (a) To ensure compliance with relevant Charity Law;
- (b) To make recommendations on, monitor and review the management, administration and associated arrangements for, the day to day running of all the Charities of which the Council is the Sole Trustee;
- (c) To promote the purposes of the various Charities of which the Council is the Sole Trustee and ensure that the Charities are run in accordance with the relevant Trust purposes;

- (d) To oversee and manage programmes of Trust development;
- (e) To receive reports, accounts and requests from the relevant Advisory Groups.
- (f) To make an annual report to the Council.

APPENDIX B – Revised Terms of Reference

Council Will Retain Responsibility for the Following:

- Approval of land transactions – disposals including sales and leases *save as set out below and* excluding licences and short hiring arrangements
- Membership of the Charity Committee
- Constitutional/Governance issues and changes
- Mortgages
- Decisions to dissolve a Charity
- Receive an Annual Report from the Charities Committee including accounts relating to the Trusts
- Approval of the Annual Report and Accounts for the Registered Charities
- Making of Byelaws
- Fundraising *save as set out below in terms of grant funding applications*
- Scheme of Delegation to Officers
- Development of Trust Assets (such as new buildings or refurbishments or alterations)

Charities Committee Will be Responsible for:

- Day to day management and administration of the Charities *including repairs and maintenance of Trust land and buildings*
- *Approval of the surrender and/or assignment of a Lease*
- Receiving reports and requests from Advisory Groups
- *Approval of Rules and Regulations and Legal Agreements relating to User Groups*
- Delegation of specific management and administration issues to Officers as relevant
- Fiscal arrangements
- *To approve grant funding applications in principle*
- Making recommendations to Council in respect of any of the functions retained by the Council

Scheme of Delegations to Officers – to be Approved by Council:

Service Director – Economy

- Grant, renewal and variation of licences, wayleave agreements and short term hiring agreements
- Emergency repairs/maintenance of Trust land and buildings
- Day to day expenditure
- *To finalise and sign grant funding applications following approval in principle to such applications by the Charities Committee.*

Charities Committee - Terms of Reference

- (a) To ensure compliance with relevant Charity Law;

- (b) To make recommendations on, monitor and review the management, administration and associated arrangements for, the day to day running of all the Charities of which the Council is the Sole Trustee;
- (c) To promote the purposes of the various Charities of which the Council is the Sole Trustee and ensure that the Charities are run in accordance with the relevant Trust purposes;
- (d) To oversee and manage programmes of Trust development;
- (e) To receive reports, accounts and requests from the relevant Advisory Groups.
- (f) To make an annual report to the Council.