

## **CHARITIES COMMITTEE**

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

**on Tuesday, 24<sup>th</sup> February, 2015 at 6.30 p.m.**

**Present:** Councillor J.M.A. Wilmott, in the Chair;  
Councillors L.M. Gibbons and J. Grundy.

**Apologies for Absence:** Councillors K.A. Morrison and J.B. Zadrozny.

**Officers Present:** Mrs. L. Cain, Mrs. R. Dennis and D. Greenwood.

**In Attendance:** Councillor T.C. Locke.

### **CC.5 Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests**

There were no declarations of interest made.

### **CC.6 Minutes**

RESOLVED

that the minutes of the meeting of the Charities Committee held on 9<sup>th</sup> July, 2014, be received and approved as a correct record.

### **CC.7 Trust Funds**

The Chairman presented the report and asked Committee Members to consider the transfer of monies contained in four trust funds to charitable organisations with a similar purpose.

Members considered the following alternative options:-

1. A review with the Locality and Community Empowerment Section helped to locate suitable charities which had similar aims to the existing trusts. Members considered suggesting alternative charities however this course of action would require the decision to close the charities to be deferred for further investigation.
2. To decline to close the charities, but this would have had little long term beneficial purpose for the various trusts due to insufficient funds and/or lack of relevant purpose.
3. To spend the remaining trust monies before winding up, however, due to the

small amounts involved and in some cases the lack of relevant trust purpose it was considered that greater benefit would be gained by transferring the funds to similar local charities.

#### RESOLVED

that Council be recommended to approve the following:-

- (a) the Wansley Hall Trust Fund be closed and it be agreed in principle that the money be transferred to The Thoroton Society of Nottinghamshire subject to the Council being satisfied that the work of the society has some heritage impact and social value within the District of Ashfield;
- (b) the Charles Beastall Beecroft Trust Fund be closed and it be agreed in principle that the money be transferred to Rural Community Action Nottinghamshire (RCAN) subject to the Council being satisfied that the work of the organisation benefits and assists residents within the District of Ashfield;
- (c) the William and Mary Barratt Swimming Prize Fund Charity be closed and it be agreed to transfer the money to the Hucknall and Linby Dolphins Swimming Club;
- (d) the William Booth Charity for the Poor Trust Fund be closed and it be agreed in principle that the money be transferred to Ashfield Voluntary Action (AVA)/All Saints' Church Annesley Community Food Bank subject to the Council undergoing further work to establish and be satisfied that the food bank has the required charitable status;
- (e) delegated authority be granted to the Deputy Chief Executive (Resources) and the Assistant Chief Executive (Governance) to carry out the required financial and legal processes in order to close the charities in accordance with charities legislation and the purposes of the trusts.

#### Reasons:

The money in each of the trust funds has remained untouched for years, the trust balances are no longer sufficient for the purposes of the trusts and in some cases the original trust purpose is no longer relevant. Transferring monies to other similar charities would create a benefit similar to the original purpose rather than remaining in a bank account unused.

The Council is in the process of changing banks and therefore the opportunity to close trust fund accounts by transferring balances would be beneficial.

#### **CC.8 Governance Arrangements for Teversal Community Centre and Recreation Ground (Charity Number 522310)**

The Assistant Chief Executive (Governance) presented the report and clarified the governance arrangements for Teversal Community Centre and Recreation Ground (Charity Number 522310).

Committee were asked to note that the recommendations outlined on page 12 of the report (final sentence) should have read ".....and hold a minimum of two Ordinary

Meetings in a year” rather than the “.....and hold four Ordinary Meetings in a year” as stated.

Due to the legal requirements placed on the Authority by the Constitution of the Teversal Community Centre and Recreation Ground, the Council’s Constitution and charities legislation, Members could only consider alternative options in relation to the frequency of meetings of the Advisory Committee.

RESOLVED that

- (a) the Council’s governance arrangements for dealing with Trusts for which it is the Sole Trustee, be noted;
- (b) the details of the Scheme (Constitution) for the Teversal Community Centre and Recreation Ground, as appended to the report, be noted;
- (c) the arrangements for the Advisory Committee, as outlined in the report, be noted;
- (d) it be agreed that the Advisory Committee shall meet for an Annual General Meeting once a year and hold a minimum of two Ordinary Meetings within a year.

Reason:

To comply with the Scheme (Constitution) of the Teversal Community Centre and Recreation Ground, the Council’s Constitution and charities legislation overall.

**CC.9 Section 100A Local Government Act, 1972  
Exclusion of the Press and Public**

RESOLVED

that in accordance with the provisions of Section 100A of the Local Government Act, 1972, the press and public be now excluded from the meeting during the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, of the Act and in respect of which the Proper Officer considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**CC.10 Lease Arrangement with the Groups  
occupying the Teversal Trust Site  
(Exempt by virtue of Paragraph 3)**

The Deputy Chief Executive (Resources) presented the report and asked the Committee to consider the lease arrangements for the groups occupying the site.

Members considered the alternative option of declining to accept the recommendations as presented.

RESOLVED

that the rental amounts as set out in paragraph 5 of the report, be approved.

Reasons:

In order to provide income for the Trust to maintain the communal areas of the site and to assist the tenant organisations during the first year of the new arrangements.

The meeting closed at 7.11 p.m.

Chairman.