

Minutes of the Charities and Trusts Committee Meeting held on 13 June 2017

Present: Kath Perry (Chairman)

Attendance	
Michael Creatorex Ian Lawson	David Smith (Vice-Chairman)

Apologies: Dave Jones

PART ONE

1. Declaration of Interests

There were no declarations of interest on this occasion.

2. Minutes of the meeting held on 26 April 2017

RESOLVED – That the minutes of the meeting held on 26 April 2017 be confirmed and signed by the Chairman.

3. Stafford 14-19 Partnership: Revised Business Plan 2016-2020

The Committee were informed that the County Council was the sole administrative trustee of the Stafford Education Centre Charity (SECC) and was responsible for the general control, management and administration of the Charity. The Council discharged its obligations through the Charities and Trusts Committee. The Chetwynd Centre (built in 1860 – a grade 2 listed building in a conservation area in the centre of Stafford) was the permanent endowment of the SECC and the Council held the land and buildings on trust status (i.e. the Council did not own the Centre).

Under the SECC's Scheme the Council, as trustee, must apply the income, expendable endowment and permanent endowment in meeting the proper costs of administering the Charity and of managing its assets (including the repair and insurance of its buildings). After payment of these costs, the Council must apply the remaining income in furthering the objects of the SECC.

With the agreement of the Stafford 14-19 Partnership, a formal request was made by the Council's Legal team to the Charity Commission for a revised Scheme for SECC. The Charity Commission gave final approval of this revised Scheme on 11 March 2016. This approval allowed for the disposal of the Chetwynd Centre by way of sale, but without requiring the Centre to be replaced with equivalent land. Following the sale of the Centre, the capital receipts would be invested in the permanent endowment of the SECC.

The Committee received a presentation by Maria Woodward and Phil Smith from the Stafford 14-19 Partnership on the Partnership's revised Business Plan 2016-2020.

The Committee noted that Council Officers had supported the developments of the Stafford 14-19 Partnership including the production the Business Plan that had recently been revised and that detailed the plans for the next 3 years. The Plan clearly identified the objectives of the Partnership and how the endowment funds requested would be deployed. It was noted that the Committee had recently approved the allocation and release of funds from the charitable income, interest from the capital investment of the permanent endowment, from the Staffordshire Education Centre Charity (registered number 528604). For 2017/18 academic year this would be a sum of £84,772 as set out in the Business Plan with a further sum of £85,000 for 2018/19 as a minimum, as a two year period was required as the new changes in A Levels, students were committing to courses that would complete at the end of a two year cycle.

Maria Woodward and Phil Smith also extended an invitation to the Members of the Committee to visit the Centre and also attend meetings of the Partnership's Executive.

The Committee also noted that the Chetwynd Centre was currently being advertised as for sale. The Centre was an old and extremely costly building to maintain, with money required to be spent on general upkeep rather than invested directly in 14-19 education in Stafford. After much consideration, and in consultation with the Stafford 14-19 Partnership, the Trustees agreed to place the building on the open market to see what interest could be generated. If the outcome of this exercise was favourable and it was agreed to sell the property, any proceeds from the sale would be invested to meet the objectives of the original Trust and ultimately, help more 14-19 year olds in Stafford into higher education or a rewarding career. The Stafford 14-19 Partnership would continue to deliver its collegiate model of 14-19 education, but would be based at a local school. The Chetwynd Centre would be vacated by the end of August 2017.

Mr Bamsey undertook to circulate to the Committee a copy of the Partnership's Prospectus for 2017/18 together with a copy of the Communication Plan.

RESOLVED – (a) That Stafford 14-19 Partnership revised Business Plan 2016-2020 be noted.

(b) That the approved allocation and release of funds from the charitable income, interest from the capital investment of the permanent endowment, from the Staffordshire Education Centre Charity (registered number 528604) be noted. (For 2017/18 academic year this will be a sum of £84,772 as set out in the Business Plan, with a further sum of £85,000 for 2018/19 as a minimum, as a two year period is required as the new changes in A Levels, students are committing to courses that will complete at the end of a two year cycle.

(c) That the County Council's County Commissioner for Skills and Employability be authorised to approve the release of funds set out in "(b)" above.

(d) That the Committee's thanks be extended to Maria Woodward and Phil Smith for their presentation.

4. Endowment Charity Funds Annual Accounts 2016/17

The Committee were informed that the County Council was the Custodian Trustee for nine Charities and also administered the funds of several other Charities, including those where there may only be land and/or buildings. These nine Charities were typically set up for education purposes. As Custodian Trustee, the Council was responsible for directing the affairs of the Charities, ensuring they were solvent and well-run and that they delivered the charitable objectives for the benefit of those for whom they were intended.

The Director of Finance and Resources was responsible for the day to day financial affairs of the Charities i.e. the collection of income and ensuring that any expenditure payable was in accordance with the Application of Income stated in the Trust Deed. He was also responsible for the production of Annual Accounts.

The Charity and Trusts Committee, in fulfilling its role, as Custodian Trustee for the nine Charities, was required to approve their Annual Accounts (copies of which were appended to the report considered by the Committee). The Annual Accounts included a Statement of Income and Expenditure for the 2016/17 financial year and a Summary of Investments as at 31 March 2017. Additionally, Charity Commission regulations stated that charities with income levels of over £25,000 must submit a copy of their annual accounts, their trustee's annual report and a report from an independent examiner or auditor. Currently three of the nine Charities fell within this category and their draft annual reports were appended to the report considered by the Committee. The Committee noted that the annual reports would be audited by the Staffordshire Audit Service, acting as the Independent Auditor, prior to submission to the Charity Commission.

RESOLVED – (a) That the 2016/17 Annual Accounts for the nine Charities where the Council is the Custodian Trustee be approved.

(b) That the draft Trustee's Annual Reports for the three Charities, which are required to submit such to the Charity Commission, be approved.

5. Exclusion of the Public and Press

RESOLVED - That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 indicated below.

PART TWO

The Committee then considered the following matters:

6. Exempt Minutes of the meeting held on 26 April 2017
(Exemption paragraph 3)

7. Chetwynd Centre update
(Exemption paragraph 3)

Chairman