

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Council
MEETING/ DECISION DATE:	2020
TITLE:	Annual Report of the Charitable Trust Board
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report: Charitable Trust Board Terms of Reference	

1 THE ISSUE

- 1.1 The purpose of this report is to update the Council on the work of the Charitable Trust Board over the past year.

2 RECOMMENDATIONS

- 2.1 To note the report.
- 2.2 To agree that the Terms of Reference for the Charitable Trust Board be amended to remove the requirement to appoint an independent member.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The purpose of the Charitable Trust Board is to facilitate the management of the charitable trusts for which the Council is the sole trustee; independently, in accordance with their governing documents and in the best interests of the charity. Currently the only charitable trust which the Board oversees is the Alice Park Trust. This is managed by a Sub-Committee consisting of three voting members (elected members of the Council) and two independent non-voting members.
- 3.2 The Charitable Trust Board is satisfied that the finances of the charity are being managed adequately with the support of the Council's finance team. Its accounts and annual report will be submitted to the Charity Commission within the required statutory timescales.

4 THE REPORT

4.1 Meetings and Membership

- 4.1.1 The Charitable Trust Board has met twice in the last municipal year, in July 2019 and January 2020.

4.1.2 The current membership of the Charitable Trust Board is:

Cllr Paul Crossley (Chair)

Cllr Rob Appleyard

Cllr Paul Myers

Cllr Mark Roper

Cllr Joanna Wright

There is currently a vacancy on the Board for an Independent Member which has not been filled for some time. The Board only meets twice a year and there is not a sufficient workload for the independent member role to be a position in its own right. It is therefore proposed that the requirement to appoint an independent member to the Board be removed from the Board's terms of reference.

5.1 Activities Undertaken

5.1.1 The Charitable Trust Board is satisfied that the Alice Park Trust is:

- Being managed in pursuit of its charitable purposes.
- Financially solvent.
- Acting within the requirements of its governing documents.
- Dealing with its regulatory and public accountability obligations.

5.1.2 The Board also considered a request from a third party to transfer responsibility for the Alice Park Trust (as sole corporate trustee) to an independent community led initiative. The Board asked officers to prepare a report for consideration following a review of the governance arrangements for the Alice Park Trust Sub-Committee along with the merits and risks of a potential transfer of responsibility to a third party as compared to the current arrangements.

5.1.3 The Board considered a report regarding 4 The Circus, Bath and requested officers to appoint three Trustees to the Frances Georgina Cooke charity to fill existing vacancies.

5.2 Finances of the Alice Park Trust Sub-Committee

5.2.1 Expenditure incurred for Alice Park Trust in 2018/19 was £38,378; this was offset by income of £15,786.

5.2.2 The deficit of £22,592 has been subsidised from the Bath & North East Somerset Council Parks revenue budget, to ensure the Trust operates on a going concern basis. This is the same process that has been undertaken in previous years.

5.2.3 Net Assets of the Trust are valued at a cost of £189,734. Net assets include investments held, land at Alice Park, car park, cottage number one, tea

chalet and storage shed, public conveniences, tennis courts, garden shelter and play equipment.

5.2.4 The accounts for 2018/19 have been prepared by the Council's Finance team and have been independently audited by the Audit West Team.

5.2.5 The accounts for the Trust are prepared on a cash basis, in line with reporting requirements and guidelines issued by the Charity Commission.

5.2.6 An annual report for the Trust has also been prepared for submission to the Charity Commission.

5.2.7 The park was open for public access throughout the year, including use of the tennis courts and tea chalet, and has been suitably maintained. The cottage property was let and the income used in the upkeep of the park.

6 RATIONALE

6.1 Under its terms of reference the Charitable Trust Board is required to submit an annual report to the Council.

7 OTHER OPTIONS CONSIDERED

7.1 To appoint an independent person who currently carries out a similar role on another Council body (such as the Standards Committee) to the Board.

7.2 To advertise externally for a replacement independent person.

8 CLIMATE CHANGE

8.1 This is an internal matter, so climate change considerations are not relevant.

9 CONSULTATION

9.1 The Section 151 and Monitoring Officer have had opportunity to review and input into this report.

10 RISK MANAGEMENT

10.1A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

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Background papers	None
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