

Recommendations from the Executive – 17 November 2022

Minute
reference
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GOVERNANCE OF COUNCIL'S CHARITABLE TRUSTS

The Executive Member for Investment and Companies, Councillor Archer, introduced the report and explained that the Council was the sole trustee for seventeen charitable trusts, which were registered with the Charity Commission.

To promote good governance and to demonstrate that there was a clear separation between the Council's role as the municipal authority and the Council's role as trustee, officers recommended that the terms of reference of the Commercial Ventures Executive Sub-Committee be extended so that it fulfilled the role of trustee in the charitable trusts where the Council was the sole trustee.

It was therefore proposed that the Commercial Ventures Executive Sub-Committee be renamed as the Partner, Shareholder and Trustee Sub-Committee.

The six main duties of trustees were:

- To ensure a charity is carrying out its purpose for the public benefit;
- To comply with the charity's governing document and the law;
- To act in the charity's best interests;
- To manage the charity's resources responsibly;
- To act with reasonable skill and care; and
- To ensure the charity is accountable

The terms of reference and functions of the new sub-committee would be guided by the Charity Commission's principles, as follows –

- To promote compliance by charity trustees with their legal obligations in exercising control and management of the administration of their charities.
- To promote the effective use of charitable resources.

Online training on governance of charitable trusts would be delivered to committee members and officers in November 2022.

The Executive Member commended the recommendations to the Executive, and upon a vote it was –

Recommended to Council:

- 1) That, in accordance with Article 15 of the Constitution, Full Council approves the extension of the terms of reference of the Commercial Ventures Executive Sub-Committee, subject to paragraph (2) below, by incorporating the terms of reference as shown in Appendix 1 to this report.**
- 2) That the Monitoring Officer be authorised to take all necessary action to finalise the terms of reference to be included in the Council's Constitution and to make such other consequential amendments to the Constitution as the Monitoring Officer deems appropriate.**
- 3) The Commercial Ventures Executive Sub-Committee be renamed as the Partner, Shareholder and Trustee Sub-Committee.**