

Council – 5th November 2007

Nominations to Charities

Summary of report

A letter has recently been received from the Chairman of the Walsall Wood Allotment Charity requesting that the Council reviews its decision of January 2004. in order to enable the charity to nominate someone to fill the vacancy, which has existed for some time, as a result of no officer being appointed to sit on the charity. A number of charities have made similar requests to fill vacancies arising due to similar circumstances.

Recommendations

- (1) That the decision of Council dated 12th January 2004 relating to officer nominations to charities be rescinded.
- (2) That future Council nominations to charities requesting nominations be either elected members or Council nominated individuals and where the charity scheme requires, only one nomination, that nomination also be either an elected member or a Council nominated person.

Resource and legal considerations

The reason that the question of representation on charities was considered in late 2003 was to find a way to reduce demands on members' time in order to enable them to concentrate on their core duties. At the present time the Council actively administers 13 charities. Most charities meet on a quarterly basis which means that officer representatives would have a regular commitment if nominated which impacts on resources available to deal with other Council-wide issues.

It is important to remember that once a Council has agreed to act as a custodian trustee, that responsibility cannot then be discarded and the Charity Commission has of late begun to take a closer interest in these matters.

If the recommendations contained in this report are agreed, it will allow the Council to nominate, if it wishes, someone who is not a Councillor but who is interested in the work of a particular charity. The change, if implemented, is covered by the trust deeds of all the charities concerned.

Governance and performance issues


There is nothing at present included in the Trust Deeds of Charities for which this Council is responsible which would prevent the Council appointing someone who is not a member of the Council or an officer as a trustee.

Consultation

Consultation has taken place with the Charity Commission

Background papers

Report to Council 12th January 2004.

A handwritten signature in black ink, consisting of several overlapping loops and a long, sweeping horizontal stroke extending to the right.

Signed:

Interim Chief Executive

Date: 26th October 2007

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