Committee: Appointments Sub-Committee

Date of meeting: 4 March 2019

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<td>Lead Officer:</td>
<td>Head of Democratic Services</td>
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Executive Summary:

The Sub-Committee is requested to consider nominations in respect of appointments to various charities as set out in the report.

**Recommended**: that a nominative Trustee be appointed to the charities, as indicated in the report.

Report:

1. **Eleemosynary Charity of Joseph Palmer**

Four Trustees are appointed by Elmbridge Borough Council for a four-year term of office. Trustees must reside or do business within the Ancient Parish of West Molesey.

The term of office for Councillor Victor Eldridge is due to expire on 26 February 2019. Councillor Eldridge has confirmed that he does not want to be re-appointed and has requested that a replacement Trustee be appointed. Whilst the Charity has not identified any potential replacement Trustee at this time, the Group Leader of the Residents’ Associations Political Group has indicated that Mr. Tony Popham would be willing to be appointed to this vacant position.

Accordingly, the Sub-Committee is invited to consider appointing Mr. Tony Popham as a Nominative Trustee to the Eleemosynary Charity of Joseph Palmer for a four-year period, expiring 4 March 2023.

(For Members’ information, the Council’s other nominative Trustees are Cllr. M. Axton, Cllr. S. Bax and Mr. A.J. Hopkins.)

2. **St. Pauls Kent Town Charities**

Four Trustees are appointed by Elmbridge Borough Council for a four-year period of office.

The term of office for County Councillor Ernest Mallett is due to expire on 26 February 2019. County Councillor E. Mallett has confirmed his willingness to be re-appointed for a further four-year term.
Accordingly, the Sub-Committee is invited to consider the re-appointment of County Councillor E. Mallett for a further four-year period expiring 26 February 2023.

(For Members’ information, the Council’s other nominative trustees are Mrs. E. Cooper, Mr. N.C. Cooper and Cllr. V.E. Eldridge.)

3. **Thames Ditton Almshouse Charity**

Three Trustees are appointed by Elmbridge Borough Council for a four-year term of office. Trustees must reside, be employed or have a special knowledge of the Ancient Parish of Thames Ditton.

In addition, at least one of the Trustees (Mr. Wood) currently carries out some maintenance assessments, inspections etc. The need to ensure that a Trustee has appropriate skills can cause difficulties when seeking replacement Trustees.

The term of office for Mrs. Irene Taylor is due to expire on 26 February 2019. Mrs. Taylor has indicated her willingness to be re-appointed for a further four-year term of office.

Accordingly, the Sub-Committee is invited to consider the re-appointment of Mrs. Irene Taylor for a further four-year period expiring 26 February 2023.

(For Members’ information, the Council’s other nominative trustees are Mrs. V. Johnston and Mr. D. Wood.)

4. **Weybridge Charity**

Six Trustees are nominated for a four-year term of office. Following an amendment made to the Charity’s Governing Scheme in December 2018, the process for appointing Trustees is as follows:

“Nominated Trustees. Except at first as hereinafter provided the Nominated Trustees shall be appointed by Elmbridge Borough Council. Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the appointing body. The chairman of the meeting shall cause the name of each person appointed to be notified forthwith to the Trustees or their clerk. The person appointed shall be a serving or former Member of the appointing body.”

The term of office for Councillor Peter Harman is due to expire on 8 March 2019. Councillor Harman has confirmed his willingness to be re-appointed for a further four-year term.

In addition to this appointment, the Charity have advised that they are seeking to amend its Scheme further in order to increase the number of co-opted Trustees from 3 to 5 to widen the scope and expertise available to the board.

The Charity have advised that as this would alter the Council’s proportional representation on the board, approval to this proposal was required from the Council before this could be taken further.
The Charity’s proposed amendment is as follows:

'The Charity Commission should be requested to approve a change to Clause 4 of the 25 September 1992 Scheme from:

“Trustees
(1) The body of Trustees shall consist when complete of nine competent persons being – Six Nominated Trustees and Three Co-opted Trustees
(2) The Co-opted Trustees shall be persons who through residence, or occupation or employment, or otherwise have special knowledge of the area of the Ancient Parish of Weybridge.

To:

“Trustees
(1) The body of Trustees shall consist when complete of eleven competent persons being – Six Nominated Trustees and Five Co-opted Trustees
(2) The Co-opted Trustees shall be persons who through residence, or occupation or employment, or otherwise have special knowledge of the area of Weybridge.

Accordingly, the Sub-Committee is invited to consider the re-appointment of Councillor Harman for a further four-year period expiring 8 March 2023 and to consider the proposed amendment in respect of the number of Co-opted Trustees.

(For Members’ information, the Council’s other nominative Trustees are Cllr. B.J.F. Cheyne, Cllr. G.P. Dearlove, Cllr. Mrs. V. Macleod, Cllr. T.G. Oliver and Mr. P.G. Wolstenholme.

Financial implications:
None.

Environmental/Sustainability Implications:
None.

Legal implications:
It should be noted that Trustees are appointed to act in the best interest of the charity they are appointed to. While acting as Trustees they must put the charity first, and should take into account relevant charity legislation and any other requirements.

Equality Implications:
None.

Risk Implications:
Failure to appoint Trustees may affect the governance of the charities involved and have a negative reputational impact on the Council.

Community Safety Implications:
None.
Principal Consultees:
Relevant charities as appropriate.
Head of Legal Services

Background papers:
None.

Enclosures/Appendices:
None.

Contact details:
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