

COUNCIL TRUSTS

CABINET - 30 OCTOBER 2014

To receive, for information only, a report on the management and administration of Trusts in which RBWM has a direct involvement.

Part 7E of the Constitution provides advice to Members on their specific duties and responsibilities when acting as a Trustee. There is also further detailed guidance issued by the Charity Commission which helps Members to understand the role expected from them and to ensure that they don't place themselves or the Authority in a difficult or inappropriate position by failing to fulfil their responsibilities fully.

Where Members/Officers are acting as Trustee's on behalf of the Council, Cabinet is asked to note that the Members/officers have raised no particular issues that require further consideration by Cabinet other than to note that Cllr Bullock is involved in ongoing discussions in relation to the funding of Cox Green Community Centre.

Appendix A - Extract from the Annual Accounts

Name	Summary of role /obligations / objectives	Key Documents	Trustees – Appointments and arrangements for re-appointment	Note on the Current Status of Appointees	Issues raised by Trustees appointed by RBWM	Lead Officers from RBWM for dealing with the Trust	Date of last Annual Return + Officer Responsible for submission
Category 2 – Charitable Trusts	Charitable Trusts which RBWM is involved with and provides the lead and all admin support for including Annual Charity Commission Returns						
Mayor of RBWM Benevolent Fund No - 269134	OBJECTS – Such charitable purposes for the benefit of residents or persons working in RBWM or for such other charitable purposes	28 th Feb 1975 – Declaration of Trust	The Mayor of the RBWM and Civic Team Manager		Cllr Kellaway confirmed nothing to report	Andrew Scott	Annual Return for 31 March 2014 submitted 19 August 2014

The RBWM Flood Relief Fund No - 1049043	OBJECTS – To relieve the persons resident in the area of benefit who are in conditions of need hardship or distress as a result of local flooding and to provide funds for repair work not normally provided by the local Authority. Formed by the merger of three previous Trusts the Mayor of Windsor Flood Relief Fund, the Mayor of Maidenhead Flood Relief Fund and the Flood Damage Fund.	27 th Mar 1995 – Trust Deed	The Mayor, Head of Legal and Head of Finance		Cllr Kellaway confirmed nothing to report	Andrew Brooker	Annual Return for 31 March 2014 submitted 25 September 2014
Charters School Community Recreation Centre Trust No - 291387	OBJECTS – To provide and to promote the use of recreational and leisure facilities at Charters School Sunningdale in the interests of social welfare for the benefit of and with the object of improving the conditions of life of the residents of the civil parishes of Sunningdale and Sunninghill. Such facilities to be available to members of the public at large.	11 th February 1985 – Declaration of Trust as amended by deed of variation dated 10 th October 2001	7 In total – 3 from RBWM, 2 Independent and 2 from Charters School. RBWM's and School's Nominated by respective organisations, Independent's by other trustees.	RBWM appointees due for re-appointment:- Cllr Mrs Yong - 10/10/15 Cllr Mrs Bateson - 10/10/16 plus one vacancy	Cllr Comber has resigned from the Trust in July 2014 - Cllr Yong stated she was very pleased the trust has expanded the membership of the centre. - Cllr Bateson said over £500,000 had been spent on the leisure centre refurbishment so she was pleased membership numbers had increased	Kevin Mist	Annual Return for 31 March 2014 submitted 24 July 2014

Those Charitable Trusts which RBWM is involved with but does not provide lead/admin support							
The Prince Philip Trust Fund No 272927	<p>OBJECTS:</p> <ul style="list-style-type: none"> - The provision, in the interests of social welfare, of facilities for the recreation and leisure time occupation of the inhabitants of the Royal Borough of Windsor and Maidenhead (the area of benefit) with the object of improving their conditions of life. - The advancement of the education of young people in the area of benefit, in particular, but not exclusively, in the field of voluntary service. - The advancement of public education in the arts, literature and science in the area of benefit. - To or for such other charitable purposes, in the area of benefit, as the Trustees shall decide. 	Trust dated 18 December 1976; Amended by Deeds of Variation dated 22 October 1979, 24 April 1990, 29 November 2004 and 23 November 2009	12 Trustees	Serving Mayor is a Trustee	Cllr Kellaway confirmed nothing to report	Andrew Scott	Annual Accounts/Return for 30 April 2013 submitted 28 February 2014 (Mr Kevin McGarry)
Charles Davis Trust No - 202893	OBJECTS - Relieving either generally or individually persons resident in the area of benefit who are in conditions of need, hardship or distress by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons.	Schedule and Scheme originating 26 th April 1881. Varied by Schemes dated 25th September 1896, 26th September 1933, 17th November 1959, 18th December 1964, 28th April 1971	Two Ex-officio, (the Mayor of RBWM, and the Vicar of Borough Church of St. Andrew and St. Mary Magdalene), Four Nominated and Three Co-opted.	Cllr Majeed and Mrs Kemp - due for re-appointment June 2016; Cllr Love & Cllr Walters - due for reappointment June 2016	Cllr Love, Majeed and Walters and Mrs Kemp confirmed nothing to report.	David Cook	Annual Return for 31 March 2014 submitted 30 July 2014 (Mrs Jenny Taylor - St Mary's Church, Maidenhead)

<p>The Spoore, Merry and Rixman Foundation No - 309040</p>	<p>OBJECTS - To assist beneficiaries to study music or other arts. The award of scholarships, bursaries and maintenance allowances tenable at approved places of further education and also travelling scholarships or maintenance allowances for study abroad. Provision of instruments books etc., to enable persons to enter a trade or profession. Provision of recreation, social training or athletic facilities. Beneficiaries to be under the age of 25 years.</p>	<p>Scheme of Charity Commissioners 10th September 1895.</p>	<p>One Ex-officio (the Mayor of RBWM) Five Representative Trustees and Five Cooperative Trustees.</p>	<p>Councillors Coppinger, Love, Majeed & Walters. Mrs Kemp – due for re-appointment June 2015.</p>	<p>Cllr Coppinger, Cllr Walters and Cllr Kellaway confirmed nothing to report. Cllr Love stated the Foundation has now agreed to the funding criteria for awarding bursaries for apprenticeships & at our meeting in July 2014 and after much discussion, it was unanimously agreed that an application be made to the Charity Commission to extend the boundary to include SL6 and SL7 within the Royal Borough. This area would then include: Cookham, and Hurley, and out as far as Fifield, but exclude, Windsor and Taplow. We are awaiting a reply from the Charity Commission.</p>	<p>David Cook</p>	<p>Annual Accounts/Return for 31 Dec 2013 submitted 24 September 2014 (Mrs Helen Macdiarmid)</p>
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Poole and Rings Charity No - 202895	OBJECTS - The general benefit of necessitous persons in the manner described in the scheme.	Charity Commission scheme dated 30 th December 1958. Group of Charities 202895 – 1, 2 and 3 registered 27th 1962	One Ex-officio (the Mayor of RBWM) 9 in number including 4 nominated by RBWM	Councillors Coppinger, Love & Walters and Mrs Kemp – due for re-appointment June 2015.	Cllr Coppinger confirmed nothing to report. Cllr Kellaway confirmed nothing to report. Cllr Love confirmed nothing to report. Cllr Walters confirmed nothing to report.	David Cook	Annual Return for 31 December 2013 submitted 24 September 2014
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Berkshire Maestros (formerly known as Berkshire Young Musicians Trust (BYMT)) No - 284555	<p>OBJECTS – To advance the education in music of, and to provide music centres for persons of all ages (but with a preference for young children under the age of 25) residing principally (although not necessarily) in the Royal County of Berkshire.</p>	<p>Registered 11th November 1982</p>	<p>Various Trustees including 1 nominated by RBWM</p>	<p>RBWM appointee – Cllr Ms C Stretton – appointed until she resigns or is replaced by the Council.</p>	<p>Berkshire Maestros is a very well run Trust who offer music education to 13,500 young people a year across Berkshire, including singing and instrument loan. They are also the lead organisation for the Berkshire Music Hub and are supported by Arts Council England and Berkshire LAs including RBWM. The education programme includes the ability for students to play in ensembles and groups and this year Maestros organised a sell out fund raising concert at the Royal Albert Hall, to great acclaim. The Trust are always seeking ways of reaching more young people and numbers are on a continuous increase.</p>	<p>David Cook</p>	<p>Annual Accounts for 31 Aug 2013 submitted 19 July 2014</p>
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New Windsor Municipal Charities No - 201913	<p>OBJECTS - Group Charities which included Municipal Almshouse (Almshouses for the poor persons who have resided in the Royal Borough of New Windsor for not less than 3 years prior to appointment), The Non Educational Charity of John, Archbishop Laud and Theodore Randue, Heaver (1. Marriage portions for poor maidens who are members of the Church of England 2. Grants for books or tools for young men who are members of the Church of England who are or have been under apprenticeship 3. Income not required for above purposes for relief of persons in need, hardship or distress), Thomas Adlem (Benefit of deserving and necessitous persons during sickness or infirmity), Phoebe Thomas (Benefit of deserving and necessitous widows of not less than 50 years who are members of the Church of England and George Robert Ing (Purchasing clothing for deserving poor persons of the area of benefit).</p>	Registered 22 nd May 1962	10 Trustees including 4 nominated by RBWM	RBWM appointees – Councillors Bicknell, Rayner. Mr P Smith. – due for re-appointment June 2015	Cllr Rayner had no comments which related specifically to the operation of the Trust. Peter Smith confirmed he was happy with the administration of the organisation, both the chairman and administrator do a more than adequate job.	David Cook	Annual Return for 31 Mar 2014 submitted 18 August 2014 (The Secretary, The Office, Ellison House, Victoria Street, Windsor, SL4 1EW)
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Lady Pocock's Charity No – 204222	OBJECTS - Group of Charities includes Dame Ann Pocock for Girls Sunday School at Maidenhead, John Innes Pocock for Girls Sunday School at Maidenhead, Dame Ann Pocock For Poor, Dame Ann Pocock for Coal (1. £50 to be distributed amongst the aged and infirm poor of the town of Maidenhead. 2. £30 to the aged and infirm of the parish of Cookham as does not lie within the limits of the Borough of Maidenhead. 3. £50 per year in sums of £5 each to be distributed amongst single women servants of not less than 25 years of age, who have lived in one service for not less than seven years in the town of Maidenhead or its vicinity. 4. Residue of the yearly income to be used for the benefit of the poor of Maidenhead (for details see clause 19 of scheme dated 22/12/1890)	Registered 24 th April 1962	5 in number including 1 nominated by RBWM	RBWM appointee – Cllr Harris – due for re-appointment June 2015.	Cllr Harris confirmed nothing to report.	David Cook	Annual Return for 31 Mar 2013 submitted 07 December 2013 (Mrs Jill Powell, 15 Bridle Road, Maidenhead, SL6 7RP)
Sunninghill Parochial Charities No – 203452	OBJECTS – Provision and maintenance of Almshouses for poor persons of good character resident in Parish of Sunninghill	Registered 20 th October 1966	8 Trustees including 1 nominated by RBWM	RBWM appointee – Cllr Bateson – due for re-appointment June 2016.	Cllr Bateson confirmed nothing to report	David Cook	Annual Return for 31 Dec 2013 submitted 8 May 2014 (Mrs Girda Birch, Rayyan, Watersplash Lane, Cheapside, Ascot, SL5 7QP)
Cox Green Community Centre No - 277252	OBJECTS – For the benefit of inhabitants of Cox Green in the County of Berkshire and its immediate neighbourhood without distinction of sex or political, religious or other opinions by associating the local authorities, voluntary organisations and inhabitants in a common effort to advance education and religion and to provide facilities for recreation and leisure time occupation with the object of improving the conditions of life for the said inhabitants.	Trust Deed Dated 15 th December 1978. Registered 27th February 1979	6 in number including 2 nominated by RBWM	RBWM appointees – Cllr Bullock (Chairman) Mr B Adams and Mrs V Howes – appointed until they resign.	Cllr Bullock said the Youth side of the community centre is minimal at the moment and the Borough is responsible for some of the running costs; discussions involving Cllr Bullock are ongoing as funding has been reduced.	Daniel Houston	Annual Accounts for 31 March 2013 submitted 6 August 2014 (Clive Bullock, Chairman of the Trustees, Cox Green Community Centre, 51 Highfield Lane, Maidenhead, SL6 3AX)

Clewer Non-Ecclesiastical Charity No - 203562	OBJECTS – The relief of persons resident in the area of benefit (Ancient Parish of Clewer) who are in need, hardship or distress.	Registered – 7 th December 1981	6 in number including 2 nominated by RBWM	RBWM appointees due for re-appointment:- Cllr Penfold – June 2015. And 1 Vacancy	Cllr Penfold commented that it is an exemplary run fund; visits to allotments take place on a monthly basis.	David Cook	Annual Update for 31 December 2013 submitted 18 February 2014 (Mrs J Ackroyd, 5 Kimber Close, Windsor, SL4 4BJ)
Porny's Charity No - 309539	OBJECTS – The Trustees may apply not more than £40 out of the yearly income of the charity or such other amount as the commissioners approve from time to time in promoting religious instruction in accordance with the doctrines of the church of England for the benefit of the children who are resident in the areas of the ancient parish of Eton by me and of Sunday schools or in such other ways as the Trustees think fit.	Scheme Sealed 17 th January 1978, Registered 5 th November 1962.	6 in number including 1 nominated by RBWM	RBWM appointee – Cllr Lawless – due for re-appointment June 2015.	Sept 14 - Cllr Lawless expressed concern that the organisation had not met for some time. 17/10/14 - Chairman (Mr J. Rolls) confirmed organisation not met for a couple of years but he had made contact with all representatives via email in June 2014 to try to set up a meeting for November 2014. Date of meeting tbc as he is awaiting responses from all representatives re their availability. Councillor Lawless confirmed he is happy to continue as representative and attend the upcoming meeting.	David Cook	Annual Return for 31 December 2013 submitted 10 May 2014 (Mr Ashok Basra, 33 Bunces Close, Eton Wick, Windsor SL4 6PL)
Windsor and Maidenhead Volunteer Centre - 1065623	OBJECTS - To act as volunteer brokerage service for volunteer user organisations. To support the local voluntary sector in terms of services and support, liaison, representation, development work, strategic partnerships and managing a vcs resource centre.	Constitution adopted on 23 June 1997. Registered on 10 November 1997. (Working Name - Windsor and Maidenhead Voluntary Action)		Formerly - Cllrs Airey and Coppinger. Trust disbanded June 2014.	Cllrs Airey and Coppinger confirmed nothing to report. Trust disbanded June 2014.	David Cook	Annual Accounts/Return for 31 March 2013 submitted 23 December 2013 (Mr Howard Hughes, 67 St Leonards Road, Windsor SL4 3BX)

Windsor and Maidenhead Youth Counselling Service No - 272036	OBJECTS - The advancement of Education, the furtherance of health and the relief of poverty, distress and sickness of youth in the community in the community in Windsor & Maidenhead and the surrounding area by establishing, maintaining and developing a Youth Counselling Service for the giving of individual or group counselling and practical advice.	Constitution adopted 1st September 1976, amended 22nd November 1977 and 12th June 1980. Registered 8th September 1976 Constitution amended July 2012 to address the merger with Windsor Youth Talk.	6 trustees including 1 nominated by RBWM	Cllr Ilyas - due for re-appointment June 2015	Cllr Ilyas confirmed no issues to report, he is happy with the way the organisation is run.	David Cook	Annual Return for 31 March 2014 submitted 218 August 2014 (Ms Shula Tajima, 4 Marlow Road, Maidenhead SL6 7YR)
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Category 4 - Non-Charitable Trusts	Trusts which RBWM has an involvement but not registered Charities and therefore no Annual Return required for Charity Commission						
Graves in Perpetuity Trust	OBJECTS - to perpetually maintain graves for those graves for which a subscription was paid.	23rd October 1991- Letter from Legal to Charity Com about closing all 3 of these 'Trusts'. Re this 'Trust', as the Council now maintained the graveyards in question, this fund no longer had a purpose. No reply from Charity Commission on file.	Was called a Fund not Trust in 1991		N/A - dormant	Steve Anderson	
Thames Valley Athletics Centre Trust	Tripartite agreement between RBWM, Slough BC and Eton College for the development and operation of the TVAC	Declaration of Trust 6 th June 1997, Lease for TVAC executed 22nd December 1997	3 Trustees 1 from RBWM, 1 from SBC and 1 from Eton College.	RBWM appointee – Cllr Grey (Cllr Beer – deputy) – due for re-appointment June 2015.	Cllr Grey said trust is being run well and keeping an eye on any issues between management and service users. Reducing funding a little each year so they can stand on their own two feet. Helped with new track and new cage for hammer throwing and shotput and a new Hyperbaric Oxygen Therapy chamber to help with injuries	Kevin Mist	

NOTES TO THE ACCOUNTS

52 Trusts and Other Entities

The trusts and other entities administered by the Council, do not form part of the accounts and are published here for information.

	Balance at 31st March 2013 £'000	Receipts in Year £'000	Payments /Transfers in Year £'000	Balance at 31st March 2014 £'000
Local Enterprise Partnership (LEP)	7,053	571	3,965	3,659
Flexible Home Improvements Ltd (FHIL)	1,323	44	613	754
Kidwells Park Trust	386	1	1	386
RBWM Flood Relief Fund	258	2	42	218
Mayor's Benevolent Fund	37	3	3	37
Working Boys Club	613	77	24	666
Thames Valley Athletic Centre	87	-	88	(1)
Other Trust Funds	1	-	-	1
RBWM Commercial Services Ltd	-	1,319	861	458
Trusts Total	9,758	2,017	5,597	6,178

Local Enterprise Partnership (LEP)

The LEP was incorporated in December 2011 and pulls together key players across Thames Valley and Berkshire representing education, employment and skills, SME and corporate enterprises, Local Authorities and the community sector - all working together to bring about a plan that will deliver economic prosperity for the next 20-30 years.

Flexible Home Improvements Ltd (FHIL)

This company was incorporated in March 2008 for the purpose of making loans to homeowners thus improving private sector housing. The company is initially funded by a grant from the Regional Housing Board and transfers amounts for subsequent loan to local authorities in Berkshire, Buckinghamshire, Oxfordshire and Surrey.

Kidwells Park Trust

This Trust was established by J.M.Pearce who donated the land on which Kidwells Park and some surrounding buildings now stand. The funds in the Trust, resulting from the sale of the College of Art in Marlow Road, Maidenhead to Berkshire County Council, are temporarily invested pending agreement with the Charity Commissioners on their use for the provision of arts facilities in Maidenhead.

Royal Borough of Windsor and Maidenhead Flood Relief Fund

Following approval from the Charity Commissioners, this Fund is the combination of funds established in 1949 to provide essential relief measures in time of flood.

Mayor's Benevolent Fund

This Fund was established in February 1975 for general charitable purposes for the benefit of residents or persons working within the Royal Borough.

Working Boys Club

This Trust received £613,000 on sale of 22 Cookham Rd, Maidenhead in 2008/09 and this has been invested in a fund to protect its value and ensure a revenue stream to finance the activities of the charity. The objectives of the charity are to provide facilities for youth in the borough with a preference for clubs and associations.

Thames Valley Athletics Centre

Two sinking funds, created for the purpose of maintaining the athletics track and buildings, are invested on behalf of the TVAC Joint Committee.

Other Trust Funds

There are six small trust funds, each with a balance of less than £500 at 31st March. These trust funds are the Sunningdale Gravel Allotment Trust, Sunninghill Fuel Allotment Trust, John Lewis, D.E. Cooke, E Pasco and the Tester Award Drama Trusts.

RBWM Commercial Services Ltd

Covanta RBWM Ltd, which provides Waste Treatment and Disposal services, was acquired by RBWM as a result of it's American parent company Covanta Energy Corporation withdrawing from the UK waste market. As part of the process the name of the company has been changed.

At this time the closing balance of £458,000 is not material and therefore has not been consolidated into group accounts.