

**Swillington Educational Charity**  
**Draft Minutes of Trustees meeting held Thursday 11 September 2014**  
**10:30am in Bowers Allerton Mission Hall**

**Present:**, Reverend Canon Rosemarie Hayes (Chair), Councillor Ian Wallace, Councillor Judith Woodhead. .

**1. Apologies:** Margaret Forth. Minute Taker

**2. Minutes of last meeting:**

The minutes of 03 July 2014 were accepted as true record.

**3. Matters Arising.** None

**4. Progress Report:**

The sale of the land and property has been completed and in the income from the sale is now deposited in the bank.

The income from the sale, now referred to as the capital, is vested in the official custodian of charities and cannot be used by the Trustees without permission of the Charity Commissioners. The only access to funds by the Trustees is any income generated from the capital in the form of interest.

It was noted and appreciated that the Solicitor, Ison Harrison of Garforth, acting for the Charity had been very reasonable, charging only £500 plus Vat for 18 months work.

**Resolved:** It was agreed to look into transferring the capital into a Charities Official Investment Fund (COIF) account to get maximum income.

**5 .Leeds City Council Nomination:**

Following Cllr. Dobson's resignation on June 28 2014, Leeds City Council (LCC) were contacted and requested to nominate a replacement or inform the Trustees in writing they no longer wished to nominate. They were reminded that the nominee does not have to be an elected member, ie a Ward Councillor.

The vacancy was discussed the Outer East Community Committee (OECC) meeting on July 8 2014, under the heading, "appointment to outside bodies". The OECC resolved the vacancy should be determined by the relevant Ward Members of Garforth and Swillington.

The Trustees have not been contacted by any Ward Member.

Prior to today's meeting the Head of Governance(H of G) at LCC was contacted and he informed the Trustees that Cllr Dobson was dealing with the matter and it was "*under active consideration at the moment*".

Copies of correspondence with the minutes.

The Trustees were disappointed with the lack of progress nine weeks after the decision of the OECC.

The Charity is down to only three Trustees. The Charity Commission (CC) guidance on Trusteeship states a trustee should not resign and leave the Charity without a quorum. The Charity quorum is three.

**Resolved:** It was agreed to contact the Ward Members and the H of G again requesting a decision before 18 October 2014. Failing this, the situation should be reported to the Charity Commissioners.

## 6. Co opted Trustees:

The Scheme advises two co opted Trustees. Scheme definition “ *shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of benefit*” The area of benefit defined by the scheme as “*shall mean the Parishes of Great and Little Preston and Swillington and the neighbourhood thereof of the County of West Yorkshire*”.

The term of office is for 5 years.

It was agreed that, now the level of responsibility and liability of the Trustees had been reduced, there may be more interest in managing the Charity as distribution of funds was the only decision to be made. One name has been put forward.

**Resolved:** It was agreed to post notices, as soon as possible, in prominent places in both Parishes requesting interested individuals to contact the Trustees.

## 7. Governance Document Review.

It was agreed the governance document, the Scheme, should be updated.

A new Scheme can be drawn up by the CC in consultation with the Trustees. One rule the CC will not change. The final decision will always be that of the Trustees.

**Rule 28 Appropriation of benefits** *The appropriation of benefits of the Charity shall be made by the Trustees at meetings of their body and not separately by any individual Trustee or Trustees.*

Public statements, on the distribution and area of benefit, made by individuals with no connections to the Charity are meaningless.

### **Resolved:**

It was agreed to hold a open meeting in late October to hear residents suggestions on changes to the Scheme. When a date is agreed notices in both Parishes will be posted.

## 8. Finance Report.

2013 – 2014. Annual update has been filed and is now available to view on the CC web site. Charity No. 511871.

All financial records for the present administration are available to view on request.

## 9. Any other Business.

**9:1** If any names are put forward for co option the Trustees will arrange a selection meeting before the open meeting in October.

**Meeting Closed 11:45am**

**Signed**

\_\_\_\_\_ **Chairperson.** \_\_\_\_\_

**Minute Taker**