



Please reply to:

Contact: Christeen Abee
Service: Committee Services
Direct Line: 01784 446224
E-mail: c.abee@spelthorne.gov.uk
Date: 04 October 2023

Notice of meeting

Administrative Committee

Date: Thursday, 12 October 2023

Time: 7.00 pm

Place: Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

To the members of the Administrative Committee

Councillors:

S. Bhadye (Chair)	J.R. Boughtflower	A. Gale
L. E. Nichols (Vice-Chair)	L. Brennan	R. Geach
M. Arnold	J. Caplin	J. Turner
E. Baldock	J.T.F. Doran	B. Weerasinghe

Substitute Members: Councillors M. Beecher, M. Bing Dong, T. Burrell, S.M. Doran and K.M. Grant

Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.

Spelthorne Borough Council, Council Offices, Knowle Green

Staines-upon-Thames TW18 1XB

www.spelthorne.gov.uk customer.services@spelthorne.gov.uk Telephone 01784 451499

Agenda

Page nos.

- 1. Apologies for absence**

To receive apologies for absence and notification of substitutions.
- 2. Minutes** **3 - 6**

To confirm the minutes of the meeting held on 8 June 2023 as a correct record.
- 3. Disclosures of interest**

To receive any disclosures of interest from councillors in accordance with the Council's Code of Conduct for members.
- 4. Annual Report on Complaints** **7 - 18**

To consider and endorse the Annual Report on Complaints for 2022-2023.
- 5. Appointment of Charity Trustees - Laleham Charities Village Hall and Recreation Ground** **19 - 48**

To consider the appointment of one trustee for Laleham Charities – Village Hall and Recreation Ground
- 6. Appointment of Charity Trustees - Staines Parochial Charity** **49 - 60**

To consider the appointment of one trustee for Staines Parochial Charity.
- 7. Appointments to Outside Bodies 23-24** **61 - 64**

To consider the nomination to the Surrey Environmental Partnership for the 2023-2024 municipal year.
- 8. Review of Charity Appointments Process** **65 - 66**

To note the process for Charity Appointments that has been implemented.
- 9. Forward Plan** **67 - 70**

To consider the Forward Plan for committee business.

**Minutes of the Administrative Committee
8 June 2023**

Present:

Councillors:

L. E. Nichols

J. Caplin

B. Weerasinghe

M. Arnold

R. Geach

L. Brennan

J. Turner

Substitutions: Councillors M. Beecher (In place of A. Gale)

Apologies: Councillors S. Bhadye, E. Baldock, J.R. Boughtflower and A. Gale

In Attendance: Councillors C. Bateson

9/23 Apologies for absence

Apologies were received from Councillors Baldock, Bhadye, Boughtflower, and Gale. Councillor Beecher attended as Councillor Gale's substitute.

10/23 Minutes

The Chair raised that a point from the minutes regarding member appointments to charities had not been addressed on the agenda.

The Committee Manager provided the following statement:

"Please accept my apologies for the oversight regarding this item.

At the last meeting, a councillor requested that the history of member appointments to charities (or one charity in particular) be looked in to and reported on at the next meeting.

Trustee appointments to charities are set out in the governing document for the charity, the charity scheme. Some of these documents were written nearly a hundred years ago, and some have been updated more recently. These can be found on the charity's website through the charity commission, and Committee Services usually hold a copy for each of the charities the Council appoints to.

Each of these schemes contains a paragraph which stipulates the trustees that must be appointed to the charity. Sometimes these trustees must hold a certain position (such as the vicar of a particular parish), or meet specific criteria. The charity may nominate a councillor for appointment as a trustee, but it is not obligated to do so unless such a requirement is set out in their scheme. No charity that this Council appoints to has a requirement in its scheme that a trustee must be a councillor.

Any changes to a charity's scheme would need to be agreed by the charity and have the charity commission's approval. The Council has no powers to require that a scheme be changed."

The Monitoring Officer raised that at the Council meeting on 23 February 2023, it had been identified that there were no procedural rules in place regarding the appointment of trustees to charities. The Monitoring Officer suggested this would be reviewed and added to the forward plan.

The minutes of the meeting held on 19 January 2023 were agreed as a correct record.

11/23 Disclosures of interest

There were none.

12/23 Appointments to Outside Bodies 23-24

The Committee considered nominations from group leaders to outside bodies. The Council makes appointments to a number of organisations that are independent from the Council but have an impact on its service areas, and the appointments to these organisations help the Council maintain an effective partnership with them.

The Committee Manager advised the Committee that the list of nominations required amending to reflect that rather than two representatives, the Strategic Aviation Special Interest Group required one representative and one deputy. The Committee were also advised that since publication, the amendments had been made to the following nominations: Mary Bing Dong had become the sole representative for the Heathrow Community Engagement Board, Sandra Dunn had become the representative nomination and Med Buck had become the deputy nomination for South East Employers, and Sean Beatty had become the representative nomination and Mary Bing

Dong had become the deputy nomination for the Strategic Aviation Special Interest Group.

The Committee noted that there were some positions that had no nominations. It was explained that the outside body would be informed of the lack of appointment and a further nomination would be sought if they required one.

The Committee **resolved** to agree the appointments as set out in the appendix to the report and as updated at the committee meeting.

13/23 Appointment of Representative Trustees to Sunbury Fuel Allotment Trust

The Committee considered nominations for representative trustees to Sunbury Fuel Allotment Trust.

The Sunbury Fuel Allotment Trust makes grants to assist with the costs of fuel to individuals who are in receipt of state retirement pension and/or people with disabilities within the parish of St. Mary's Sunbury. There were four nominative trustees to the charity: Mr Tim Evans, Mr Alfred Friday, Mrs. Kaye Friday and Mr Paul Thompson. A fifth ex-officio trustee was the vicar of the parish of St. Mary's, who was currently Father Andrew Downes.

The Committee were advised that further information supplied by the charity about the individuals had been circulated before the meeting (attached). The Chair spoke briefly in support of the nominees.

The Committee **resolved** to appoint Mr Tim Evans, Mr Alfred Friday, Mrs Kaye Friday, and Mr Paul Thompson as representatives trustees to Sunbury Fuel Allotment Trust for a four year period.

14/23 Forward Plan

The Committee considered the forward plan for future committee business.

The Chair queried if an update could be provided on Elections. The Monitoring Officer provided the following statement:

“Preparations for the Local Borough Elections began in December 2022. Polling Stations were all booked and letters were sent to staff asking for their availability. Over 223 staff were appointed as a result into various roles such as Presiding Officer, Poll Clerk, Count Assistant, Count Supervisor, and Polling Station Inspector. Therefore, around 145 polling station staff were trained and guidance issued to all count assistants along with a new training video which was very well received by staff.

iPads were used for the first time at every polling station and positive feedback was received as it made the voting process much easier. Additional

training was given on the use of tablets and voter ID which was introduced for this election for the first time. Over 77,000 poll cards were posted by Royal Mail to electors across the borough and around 14,000 postal votes were issued for this election. The team worked incredibly hard over this period to ensure that all statutory deadlines were adhered to along with maintaining business as usual. The service is currently 1 FTE short and it's hoped that recruitment for this post will be carried out shortly.

The elections took place on 4 May 2023 with all polling stations opening on time. There were 24,293 verified votes. After the total electorate of 77,255. Representing at turnout of 31.4%. Voter ID did not cause any significant issues. A total of 19 voters did not vote as they did not have the necessary ID.”

The Committee wished to place on record their thanks and gratitude to the officers for their work on the election.

The Committee queried if there had been an increase in registered postal votes from the last election held, and the Monitoring Officer agreed to provide this information to the Committee after the meeting.

The Committee **resolved** to note the forward plan for future committee business.

15/23 Exclusion of Press and Public

After consultation with the Monitoring Officer, this item was withdrawn from the agenda as the subject matter crossed the remit of more than one Committee.

16/23 Building Control Service

After consultation with the Monitoring Officer, this item was withdrawn from the agenda as the subject matter crossed the remit of more than one Committee.

Administrative Committee



12 October 2023

Title	Annual Report on Complaints 2022-2023
Purpose of the report	To note
Report Authors	Farida Hussain, Monitoring Officer Sandy Muirhead, Group Head Commissioning and Transformation
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	Service delivery
Recommendations	Committee is asked to consider and endorse the report.
Reason for Recommendation	Not applicable

1. Summary of the report

- 1.1 This report seeks to inform members of the Annual Report from the Local Government and Social Care Ombudsman (the Ombudsman) for the period from 1 April 2022 to 31 March 2023. It also provides an overview of the performance of the Council over the same period in responding to complaints under the Council's Corporate Complaints Policy.
- 1.2 Complaints are recognised as a valuable tool in helping officers to understand the concerns of residents in the delivery of services and have an important role in both supporting the improvement of those services and holding services to account. This report outlines the learning points and improvements identified as a result of the complaints investigated in 2022-2023.

2. Key issues

Annual Report from the Local Government and Social Care Ombudsman

- 2.1 The Ombudsman has recently circulated its Annual Review letters for 2022-2023 to all local authorities (**Appendix 1**).
- 2.2 The Annual Review letter includes a breakdown of complaints about Spelthorne Borough Council received by the Ombudsman and how they were dealt with. (**Appendix 2**).

- 2.3 The Ombudsman publishes [an interactive map](#) containing the complaint data for each local authority in England in a searchable format. It collates the annual letters sent to each local authority, how often they complied with the Ombudsman’s recommendations, the improvements they have agreed to implement and published decisions.
- 2.4 As part of the Council’s Complaints Policy, if a customer remains dissatisfied following receipt of their Stage 2 response, they can take their complaint to the Ombudsman which is the final stage of the complaints process.
- 2.5 The Ombudsman received nine complaints regarding the Council in 2022-2023. All these complaints arose from a direct approach to the Ombudsman and not as an escalation of a complaint the Council had responded to at Stage 2 of the internal complaints’ procedure. In seven instances, the Ombudsman deemed no further action was necessary after an initial investigation. Two complainants had approached the Ombudsman prematurely and were referred to the Council to take their complaint through our internal procedure.
- 2.6 This is an extremely positive outcome, when considered in the context of the Ombudsman upholding 74% of complaints at national level, and the number of complaints responded to at Stages 1 and 2 of our internal complaints’ procedure as detailed later in this report. (Paragraphs 2.8 to 2.17)
- 2.7 This is also an improvement on the outcome of complaints referred by Spelthorne residents to the Ombudsman in the last two years, as shown by the table below:

Table 1

Complaints referred to Ombudsman	2020/21	2021/22	2022/23
No. received	6	8	9
No. investigated	3	1	0
No. upheld - maladministration	1	1	0

Council’s Corporate Complaints

- 2.8 Formal complaints from residents about unsatisfactory service or the behaviour of staff are considered in accordance with the Corporate Complaints’ Policy. [The Policy](#) is available on the Council’s website.
- 2.9 A complaint is defined within the Council as “an expression of dissatisfaction about anything we have done, or perhaps not done. It might be about: failure to deliver a service; delay in providing a service; unsatisfactory quality of a service; the behaviours of a member of our staff or failure to follow Council policy.”
- 2.10 Complaints recorded under the formal procedure (and dealt with in this summary report) do not include those ‘first time’ representations which were effectively requests for a service and dealt with as such. Accordingly, a new report of a missed bin, or a noise nuisance, for example, would not be registered and dealt with as a complaint, but as a request for action. Of course, if the Council failed to respond to the ‘request’ appropriately, then that may generate a complaint.

Complaints 2022-2023

- 2.11 The annual complaints logs contain personal information that should not be published. Neither would it be appropriate for the Committee to review the circumstances of, or decisions reached in respect of, individual complaints. This corresponds with the Ombudsman's view that it is neither necessary, nor desirable, for the Council to make such details public. As a result, the information provided in this report is largely statistical in nature.
- 2.12 The following table gives a breakdown of the number of complaints received and responded to in 2022-23.

Table 2

Stage of Complaints process	Number of complaints
Service level (Stage 1)	56
Escalation to Group Head (Commissioning and Transformation) (Stage 2)	20 (from the 56 above)
Local Government and Social Care Ombudsman	9 (these were direct enquiries from members of the public who had not previously approached the Council about their complaint)

- 2.13 The following table illustrates the number of complaints received in 2022-23 compared to the previous two years.

Table 3

Year	Complaints at Stage 1	Complaints at Stage 2
2020-21	31	23
2021-22	21	18
2022-23	56* (43 of which were received through the online Portal)	20 (10 of which were escalated through the Portal)

- 2.14 *In the summer of 2021 we launched an online Complaints Portal; a facility for residents to make their complaint through our website. This has made it easier for residents to raise a complaint and receive a response online. Its use has increased noticeably in this second year since the launch. It is likely that the substantial increase in complaints received at Stage 1 in 2022-23 can be attributed to the familiarity many members of the public now have with using online complaint facilities across many sectors, rather than suggest that the Council is failing in its service delivery.

- 2.15 This assumption is supported by the fact that notwithstanding the 138% increase in Stage 1 complaints compared to the number received in 2021-2022, the number of complaints escalated to Stage 2 is consistent with the previous two years.
- 2.16 As well as the online Portal, customers may continue to use the traditional methods of making a complaint by telephone (followed up in writing), email or letter. Thirteen of the complaints raised in 2022-23 used one of these methods.
- 2.17 Table 4 shows the outcome of the Stage 2 investigations for each of the same years as Table 3.

Table 4

Year	Not upheld (no finding of fault)	Upheld (finding of fault or partial fault)	Remedies for fault
2020/21	14	9	Apology
2021/22	15	3	Apology
2022/23	14	6	Apology – 4 Financial remedy - 2

Learning points

- 2.18 The Council treats every complaint as an opportunity to identify learning outcomes and improve service provision regardless of whether a complaint was upheld. Complaints are valuable not only in identifying service improvements but in improving public perception and satisfaction with the Council as a whole. Each complaint can be an opportunity to make changes or service improvements on a small or greater scale.
- 2.19 Examples of some of the learning points and improvements made arising from complaints investigated during 2022-23 include:
- All Group Heads have embedded clear processes in their teams for dealing with Stage 1 complaints.
 - Automated departmental email acknowledgments were clarified to indicate that responses to formal complaints will be sent within 10 working days.
 - Departments have reviewed the specified service response timescales to ensure they are realistic, taking into account any resource constraints within teams.
 - The Council’s website has been amended in relation to the timescale for re-activation of out-of-date garden waste subscriptions paid online. Information was added to advise that accounts can be reactivated sooner by calling Customer Services to make payment.

Time taken to respond

- 2.20 The Council's Complaints' Policy states that complaints will be responded to in full at Stage 1 within 10 working days of receipt. Where this is not possible (for example, because of the complexity of the complaint, the number of third parties involved or awaiting additional information) a holding response will be sent to the customer advising them when they can expect a reply. This response timescale was met in 93% of service complaints at Stage 1 (52 out of 56 complaints).
- 2.21 This represents a significant improvement on previous years. The 10 working day response time at Stage1 was met in 58% of cases in 2020-2021, and in 52% of cases in 2021-2022. The reason for the improvement is largely due to the automated reminder system built into the Portal which sends services a prompt when they have two days left to respond.
- 2.22 Of the 4 complaints which were not responded to within the 10 working days, 3 received a response within a further three days with an apology for the delay. The delay in the one other complaint response was due to staff resourcing issues in Environmental Health
- 2.23 When a complaint is escalated to Stage 2, the Group Head Commissioning and Transformation aims to respond within 20 working days. This timescale was met in 80% of escalated complaints (16 of the 20 complaints). Where it is not possible to respond within this time frame, usually due to the complexity of the complaint, the complainants are made aware that there will be a delay and when a full response can be expected.

3. Options analysis and proposal

- 3.1 This report is for information and there are no options arising.

4. Financial implications

- 4.1 There are no direct financial implications arising from this report.
- 4.2 As a result of two Stage 2 complaint investigations in 2022-23, and further evidence being provided by the complainants, refunds were issued for payment of a long-term empty council tax premium and a lost car park ticket penalty. These amounted to £2,714 and were met from within service budgets.

5. Risk considerations

- 5.1 The Group Head for Commissioning and Transformation routinely reviews and reports on complaints data to ensure our processes are effective and to minimise any risk.
- 5.2 There is a risk relating to complainants being unaware of the formal complaints' procedure. To mitigate this risk, all Stage 1 responses provide information on how to escalate a complaint to Stage 2, the Policy is available to read on our website, paper copies are available on request and a link to, or copy of, the Policy is sent to all complainants at Stage 2 so that they fully understand all stages of the process, including the role of the Ombudsman.
- 5.3 There is a risk that residents may feel that Spelthorne Borough Council may not take complaints seriously. The annual complaints report demonstrates that this is not the case.

5.4 There is a risk that complaints are not dealt with within the specified timescale. Reasons for this vary, for example: the availability of officers (e.g. due to sickness absence or leave) or the need for more time to carry out a full investigation. To mitigate this the Corporate Governance Support Officer maintains a detailed spreadsheet and provides support and reminders to any officer dealing with a formal complaint. Should more time be needed to respond, the complainant is advised with a new timescale provided.

6. Procurement considerations

6.1 There are no procurement considerations arising from this report.

7. Legal considerations

7.1 There are no legal considerations arising from this report.

8. Other considerations

8.1 There are none.

9. Equality and Diversity

9.1 The Council is required to have due regard to its public sector Equality Duty.

9.2 The Council's Duty is stated under the Equality Act 2010 and is to have regard to the need to:

a) eliminate unlawful discrimination, harassment or victimisation

b) advance equality of opportunity between persons who share a Protected Characteristic and persons who do not share it

c) foster good relations between those who share a relevant characteristic and those who do not.

9.3 There were no instances of discrimination, harassment or victimisation identified in any of the Stage 2 investigations, although such allegations were made by complainants.

9.4 Customers are provided with a range of methods by which to raise a complaint as described in paragraphs 2.14 and 2.16. Spelthorne's website includes audio visual tools so that no one should be prevented from raising their concern due to a Protected Characteristic.

10. Sustainability/Climate Change Implications

10.1 There are no sustainability or climate change implications arising directly out of this report.

11. Contact

11.1 Gillian Scott, Corporate Governance Support Officer,
g.scott@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1 – Ombudsman's Annual Review Letter from 2022-23

Appendix 2 – Table of decisions made by the Ombudsman in 2022-23

19 July 2023

By email

Mr Mouawad
Chief Executive
Spelthorne Borough Council

Dear Mr Mouawad

Annual Review letter 2022-23

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

Complaints upheld - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

Compliance with recommendations - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the organisation upheld the complaint and we were satisfied with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

Supporting complaint and service improvement

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit www.lgo.org.uk/training or get in touch at training@lgo.org.uk.

Yours sincerely,



Paul Najsarek
Interim Local Government and Social Care Ombudsman
Interim Chair, Commission for Local Administration in England

Complaints upheld

The Ombudsman carried out no detailed investigations during this period

Compliance with Ombudsman recommendations

No recommendations were due for compliance in this period

Satisfactory remedy provided by the organisation

The Ombudsman did not uphold any detailed investigations during this period

This page is intentionally left blank

Appendix 2

Category	Decided	Decision	Decision Reason
Planning & Development	04/08/22	Closed after initial enquiries	Not warranted by alleged fault
Planning & Development	24/05/22	Closed after initial enquiries	Not warranted by alleged fault
Benefits & Tax	26/05/22	Referred back for local resolution	Premature Decision - advice given
Corporate & Other Services	21/06/22	Closed after initial enquiries	S27 not by member of the public
Environmental Services & Public Protection & Regulation	11/08/22	Closed after initial enquiries	26(6)(c) Court remedy
Environmental Services & Public Protection & Regulation	24/08/22	Closed after initial enquiries	No worthwhile outcome achievable by investigation
Benefits & Tax	16/08/22	Referred back for local resolution	Premature Decision - advice given
Benefits & Tax	15/09/22	Closed after initial enquiries	Not warranted by alleged fault
Housing	24/03/23	Referred back for local resolution	Premature Decision - referred to Organisation

This page is intentionally left blank

Administrative Committee

12 October 2023



Title	Appointment of Representative Trustees – Laleham Charities Village Hall and Recreation Ground
Purpose of the report	To make a decision
Report Author	Karen Wyeth, Principal Committee Manager
Ward(s) Affected	Laleham and Shepperton Green Riverside and Laleham
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Committee is asked to:</p> <p>Agree the appointment of:</p> <ul style="list-style-type: none"> • David (Dominic) O'Malley <p>For a period of four years as requested by the Charity.</p>
Reason for Recommendation	The Council has a duty to appoint representative trustees to charities whose charity scheme dictates appointments should be made by the Council.

1. Summary of the report

- 1.1 This report seeks agreement to the proposed appointment of a representative trustee to the Laleham Charities – Village Hall and Recreation Ground.
- 1.2 The Laleham Village Hall and Recreation Ground are individual registered charities collectively referred to as “Laleham Charities”. Membership of the Laleham Charities are made up of six ‘competent’ persons and are appointed for a term of four years by the Council.
- 1.3 Upon a vacancy occurring, the Trustees may recommend an acceptable person as a suitable replacement, provided that person shall through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham. Any competent Trustee may be recommended for re-appointment at the expiry of their preceding term of office, by formal notification to the Council.
- 1.4 The Charity was advised their current trustee’s term was expiring and they in turn supplied the Council with the name of the trustee they would like to the Council to appoint: Mr David (Dominic) O’Malley. This trustee requested has

previously served as a trustee and meets the criteria set out in the charity scheme. The nominee's credentials are set out in Appendix 3.

2. Key issues

- 2.1 The responsibility for appointing to charities was moved into the remit of the Administrative Committee following a review of committee terms of reference in May 2022.

3. Options analysis and proposal

- 3.1 Option one (recommended): agree the charity's nomination as proposed.
- 3.2 Option two (not recommended): propose and agree alternative nominations. This may cause upset with the charity and the local community.

4. Financial implications

- 4.1 There are none.

5. Risk considerations

- 5.1 If the Council were to propose and agree alternative nominations, this may cause upset with the charity and the local community.

6. Procurement considerations

- 6.1 There are none.

7. Legal considerations

- 7.1 There are none.

8. Other considerations

- 8.1 There are none.

9. Equality and Diversity

- 9.1 There are none.

10. Sustainability/Climate Change Implications

- 10.1 There are none.

11. Timetable for implementation

- 11.1 The nominations will be effective on the passing of a resolution by the Administrative Committee.

12. Contact

- 12.1 Committee Services; committeeservices@spelthorne.gov.uk

Background papers: Relevant background papers have been attached as appendices

Appendices:

Appendix 1 – Charity Commission Scheme for the Laleham Charities – Village Hall and Recreation Ground

Appendix 2 – Guidelines for the Body of Trustees Appointed for the Administration of the Laleham Charities

Appendix 3 - Credentials of David (Dominic) O'Malley

THE LALEHAM CHARITIES - LEGAL BASIS & ORIGINS: A SUMMARY

20 March 1996

Issue 1a

1. Introduction

A set of Documents, collectively identified as the 'Deeds of Laleham Village Hall and Recreation Ground', are held by the current Chairman of Trustees of the Laleham Charities, Ian Allan.

A summary of the Legal Documents and their content has been made, based on a cursory review of the Documents, the purpose of which is to provide a short consolidated record of the development of the Charities, from their inception in 1923 to the present day. In so doing, a record has also been made of the individual documents included under the general title of "Deeds".

Certain information, not contained in the Documents but relevant to the development, as recorded in various Minutes of Meetings, is also included.

2. The Village Hall

2.1 **Origin** - The Village Hall was built on land owned by the Lucan Estate in 1907 and officially opened by the Countess of Lucan on 23 April 1908, wife of The Right Honourable George The Fourth Earl of Lucan. (She died on 5 October 1910, followed by her husband on 5 June 1914). At some period prior to the title of the land being passed from the Lucan Estate in 1923, The Village Hall came under the administration of a 'Committee', apparently separate from the Parish Council, as evidenced by its members being represented on the Recreation Ground Committee (see para 3.1 below).

2.2 A Deed of Gift was made on 10 March 1923, to the Parish Council of Laleham. It was signed and sealed on behalf of the Lucan Trust, by: The Right Honourable George Charles, The Fifth Earl of Lucan, The Hon George Charles Patrick Bingham, Beresford Valentine Melville and Charles Murray Smith, and on behalf of the Parish Council: J Watson Slack, GS Shackelford and Henry J Searle.

"...the Council shall stand possessed of the said piece of land upon trust to use or permit the same and the building erected thereon and any building which may hereafter be erected thereon to be used for the purpose of a Village Hall for the recreation entertainment and enjoyment and benefit of the inhabitants of the Parish of Laleham subject to such rules and regulations as the Council may from time to time determine."

2.3 Enrolled in the books of the Charity Commissioners for England and Wales, dated 5 June 1923, and signed Charles F Ritchie, Secretary. (recorded on the rear page of the Deed of Gift).

2.4 Approved and Established in a Scheme of the Charity Commissioners, dated 26 August 1930, (later identified under Ref 305063). An amendment is enclosed, dated 24 September 1974, which changed the authority for the appointment of Trustees from the Staines Urban District Council to the Borough Council of Spelthorne. Also, that the Trustees "....shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham....".

3. The Recreation Ground

3.1 **Origin** - It is not clear when the area now known as the Recreation Ground, first came into use as such. However, from a note prepared on 22 September 1943 (possibly by Mr FC Hoare, Clerk to the Trustees of the Laleham Charities and one-

time Clerk to the Parish Council), it seems that a petition signed by 174 residents of Laleham and submitted to the Parish Council on 16 April 1919, requested that a Recreation Ground be provided for the Village. At a subsequent meeting of the Parish Council on 25 June 1919, the Chairman, the fifth Earl of Lucan, stated that he was willing to make over to the Council a piece of land about 3 acres in extent for use as a Recreation Ground, as soon as he was able to obtain possession from his tenant (probably Mr Strang, who farmed what was then probably still recognised as Halfords Farm, although now known as Home Farm). This offer was gratefully accepted by the Parish Council.

A Committee was formed to administer the Ground in 1920, with the first meeting of the Committee being held on 20 March of that year. Although Mr JW Gibson of the Cricket Club took the Chair at the first meeting, by the next meeting on 28 April 1920, the Rev GS Shackelford had been elected Chairman. It is perhaps interesting to note that representatives of the Parish Council, the Cricket Club, the Football Club and the Village Hall were all members of the Committee. It was apparent that the Committee drew their authority from the Parish Council, and as such, were uncertain as to the extent of that authority. Therefore, a set of 7 questions were drawn up for presentation to the next meeting of the Parish council on 22 March 1920. These questions are repeated below:

1. Does the Parish Council recognise the existence of the Recreation Ground Committee?
2. Will the Recreation Ground Committee have full powers in the management of the ground?
3. Does the Parish Council agree that any objection which may be raised by parishioners on the Committee's management of the ground be placed before the Parish Council after consideration by this Committee?
4. Does the Parish Council agree that the Committee be responsible for the ground for the period of 1 year - March to March, and that it be re-elected at a General Meeting?
5. Is the Parish Council in favour of the maintenance of the ground being placed upon the rates, or does it suggest that this Committee prepare a scheme to provide the necessary funds?
6. Is the Parish Council or the Committee responsible for the rates on the ground?
7. Has the Committee the power to make charges for admission to the ground on certain occasions?

It was reported at the Committee Meeting on 28 April 1920, that the Parish Council had answered questions 1,2,3,4 & 7 in the affirmative; further, it was in favour of the Committee preparing a scheme for the maintenance of the ground and being responsible for the rate on the ground.

NB The question of rates would recur several times more in the next eight years or so.

From the Minutes of the Recreation Ground Committee, it is clear that the ground had been used by both the Cricket Club and the Football Club, prior to the formation of the Recreation Ground Committee, since:

- At a meeting of the Recreation Ground Committee on 15 September 1921, it was reported that the cricket pitch was in need of relaying. This would necessarily debar the use of the ground to the Football Club for the forthcoming season. The Chairman undertook to talk to Mr Strang to see whether he would allow the Football Club the temporary use of his

adjacent meadow. The Cricket Club agreed to cover all costs associated with the preparation of the temporary football pitch.

Note: It is unlikely that the cricket pitch would have needed relaying, after so short an interval between March 1920 and the date of the meeting, if cricket had not been played there before that time, and even perhaps before the offer from Lord Lucan. Perhaps the cricket pitch was that of "Bucklands field behind the 'Horse Shoes'"; certainly the present square is located directly behind the "Shoes".

- At a meeting of the Recreation Ground Committee on 10 July 1922, the secretary was instructed to write to Mr Strang to thank him for allowing the Football Club the use of the meadow adjacent to the Recreation Ground, the previous season. It would thus seem that the cricket pitch was relayed during the previous close season.

3.2 A Deed of Gift was made on 10 March 1923, to the Parish Council of Laleham. It was signed and sealed on behalf of the Lucan Trust, by: George Charles, fifth Earl of Lucan, The Hon George Charles Patrick Bingham, Beresford Valentine Melville and Charles Murray Smith, and on behalf of the Parish Council: J Watson Slack, GS Shackelford and Henry J Searle, the latter's signatures being witnessed by FC Hoare, Clerk of the Parish Council.

"...the Council shall stand possessed of the said piece of land upon trust to use or permit the same to be used for the purpose of a Recreation Ground for the use and enjoyment and benefit of the inhabitants of the Parish of Laleham subject to such rules and regulations as the Council may from time to time determine."

3.3 Enrolled in the books of the Charity Commissioners for England and Wales, dated 5 June 1923, and signed Charles F Ritchie, Secretary. (recorded on the rear page of the Deed of Gift). Similarly, the document bears the stamp of HM Land Registry, dated 29 June 1929, N^o. 924 in Book 23, with the Title reference MX 206240.

The Minutes of the Recreation Ground Committee of 22 October 1928, recorded that the Parish Council had been instructed by the Charity Commissioners, to sell a "small portion of the Recreation Ground to the Vicar and Church Wardens for £30", as an extension for the Church Yard.

3.4 Approved and Established in a Scheme of the Charity Commissioners, dated 26 August 1930, (late identified under Ref 305069). Included are Amendments:

(i) 24 June 1949, to cover the vesting of land adjoining the Laleham Recreation Ground, which was conveyed between The Right Honourable George Charles Earl of Lucan and Walter Barker, et al on 15 September 1948.

(ii) 4 November 1969, to cover the vesting of land comprising the strip between The Broadway and the Laleham Recreation Ground, which was conveyed between The Right Honourable Richard John Seventh Earl of Lucan and Bryan Corrie, et al on 16 July 1969.

(iii) 24 September 1974, which changed the authority for the appointment of Trustees from the Staines Urban District Council to the Borough Council of Spelthorne. Also, that the Trustees "...shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham....".

3.5 Conveyance dated 15 September 1948 "...All That piece or parcel of land situate at Laleham in the County of Middlesex adjoining the Laleham Recreation

Ground on the East side thereof....". It was signed by The Right Honourable George Charles Earl of Lucan, as the vendor, and Walter Barker, John Ronald Scarlett Duncan, Bryan John Corrie, Alexander Connell, Sidney Herbert Rogers and Ernest John Collinson, as the purchasers - the then appointed Trustees of the Laleham Charities.

Note: This land was not taken into use, as an extension of the Recreation Ground, until October 1972. Between September 1948 and October 1972, it was apparently rented to Home Farm, initially Mr Walter Barker and subsequently Mr Peter Barker (no relation).

3.6 Conveyance dated 16 July 1969 "...ALL THAT piece of land at Laleham in the County of Surrey (formerly Middlesex) leading from the Recreation ground to the Broadway 15 feet in width...". It was made between The Right Honourable Richard John Seventh Earl of Lucan, as the vendor, and Bryan Corrie, George Richard Perry, David Clark(e), Brian Arthur Charles Heath, Leon Walter Herrick Fox and Reginald Owen Sturgess, as the Purchasers - the then appointed Trustees of the Laleham Charities. It was signed by Lord Lucan.

3.7 Land Transfer dated 6 October 1976 - A certified copy of the original document held by Dale & Newbery, to effect the sale and transfer of a small portion of the Recreation Ground to Mr DW Wilson of Church Farm for the sum of £25 (situated at the corner of Church Farm and the Recreation Ground end of the Drive from the Broadway. It was made between the trustees: Bryan Corrie, David Clarke, George Richard Perry, Leon Herrick Walter Fox, Ian Allan and Oswald Adamson, as the vendors, and David William Wilson, the purchaser.

This is accompanied by a copy of the Authorisation of the Charity Commissioners, to dispose of the land described above, dated 20 August 1976.

3.8 LAND CERTIFICATE - An Office Copy of the register together with a copy of the official plan certifying that the Recreation Ground is registered at HM Land Registry under title number MX 206240. It covers the present area of the Recreation Ground, the Extension, the access drive from the Broadway and the Church Farm transfer, and is dated 22 October 1976.

3.9 Abstract of the Title of The Right Honourable The Earl of Lucan to land in the Parish and Village of Laleham, Staines, Middlesex.- It was prepared by Young, Jones & Co., 2 Suffolk Lane, Cannon Street, London, EC 4. (Solicitors to the Lucan Estate), and dated 28 February 1949. It's purpose is to confirm that the land comprising the Extension to the Recreation Ground is unattached and free from Mortgage commitments, as stated in the Deed of Conveyance; presumably required before the land could be vested in the Official Trustee for Charity Lands, under the existing Scheme. The final Mortgage was discharged on 1 April 1936.

3.10 Abstract of the Title of The Right Honourable Richard John Seventh Earl of Lucan to Northern Burway Land, Laleham in the County of Surrey. - It was prepared by Messrs Young, Jones & Co., 2 Suffolk Lane, EC 4., and dated 14 October 1966. It has been altered by hand by Dale & Newbery, Colne Lodge, Staines Middlesex, to refer to Land in Shepperton Road, Laleham. It relates to the land occupied by the 3 cottages known as Elm Cottages (35, 37 & 39 Shepperton Road), and the 3 cottages, then known as Estate Cottages (45, 47 & 49 Shepperton Road); specific reference is made to Elm Cottage number 3, which included the land now occupied by Bridleways, 41 Shepperton Road, to the North West of the footpath leading from Shepperton Road to the Recreation Ground.

3.11 Abstract of the Title of The Right Honourable Richard John Seventh Earl of Lucan to Church Farm, Laleham in the County of Middlesex. - It was prepared by Messrs Young, Jones & Co., 2 Suffolk Lane, EC 4.,

and dated 1968. It has been similarly altered by hand to refer to the Roadway between the Broadway and the Recreation Ground.

4. General

On 31 March 1930, the Ministry of Health promulgated an Order for the transfer of the administration of Laleham from the Parish Council to the Staines Urban District Council. With the demise of the Parish Council, The Parish Councillors became the first Trustees of the Laleham Charities, thereafter appointed by the local authority, for terms not exceeding four years.

On 1 April 1974, the administration of Laleham passed from the Staines Urban District Council to the Spelthorne Borough Council.

Alan M Stewart-Darling, Trustee and Treasurer

Sealed 26th August 1930.

3367
30

County—MIDDLESEX.

Parish—LALEHAM.

Charity—VILLAGE HALL.



Stamps { 10s.
10s.

A.
102,186

*Scheme, including
Appointment of Trustees, and
Vesting in Official Trustee of
Charity Lands.*

CHARITY COMMISSION.

In the Matter of the Charity known as the VILLAGE HALL, in the Parish of LALEHAM, in the County of MIDDLESEX, founded by Indenture dated 10th March 1923 ; and

In the Matter of " The Charitable Trusts Acts, 1853 to 1925."

The Board of Charity Commissioners for England and Wales, upon an application made to them by the Parish Council of Laleham on the 22nd March 1930, in writing, under the hands of

The Right Honourable GEORGE CHARLES, EARL OF LUCAN, the Chairman of the said Council ; and
JAMES WATSON SLACK, and
ALBERT WILLIAM BOLDEN, Members of the said Council :

And it appearing that the said Council were the Trustees of the above-mentioned Charity at the date of the said application :

And that there are now no Trustees or persons acting in the administration of the Charity :

And after due notice of the intention to make this Order published according to the direction of the Board by being affixed to or near a principal outer door of the Parish Church and the Village Hall, Laleham, on the 4th June 1930 (being more than one calendar month before the date hereof) :

And having received no notice of any objection to the proposed Order or suggestion for the variation thereof :

Do hereby Order as follows :—

The subjoined Scheme is approved and established.

SCHEME.

1. *Administration of Charity.*—The above-mentioned Charity and the endowment thereof specified in the Schedule hereto, and all other the endowments (if any) of the said Charity, shall be administered and managed by the body of Trustees hereinafter constituted, subject to and in conformity with the provisions of this Scheme, under the title of the Village Hall.

2. *Vesting.*—Any lands and hereditaments comprised in this Scheme are hereby vested in "The Official Trustee of Charity Lands" for all the estate and interest therein belonging to or held in trust for the Charity.

TRUSTEES.

3. *Trustees.*—The body of Trustees shall, when complete, consist of six competent persons, who shall, subject as hereinafter provided with respect to the first Trustees, be appointed by the Urban District Council of Staines on the nomination of the Councillors for the time being representing the Laleham Ward of the said Urban District. Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the Council. The Chairman of the meeting shall forthwith cause the name of each person appointed to be notified to the Trustees or their Clerk. The person appointed may be, but need not be, a member of the Council.

4. *First Trustees.*—The following persons shall be the first Trustees, and shall be entitled, subject to the provisions hereinafter contained with respect to determination of Trusteeship, to hold office for four years from the date of this Scheme:—

The Right Honourable GEORGE CHARLES, EARL OF LUCAN; and
JAMES WATSON SLACK, of The Tiny House, Chairman of the London
Iron and Steel Exchange;

ALBERT WILLIAM BOLDEN, of White Gates, Chairman of a Railway
Company;

HENRY ROBERT CHANNON, of Glenard, of no occupation;

REUBEN HONNOR, of Old Farm, Farmer; and

SIDNEY HERBERT ROGERS, of Red Cottage, Foreign Banker; all
in Laleham.

Provided that if at the end of two years from the date of this Scheme more than three of the said persons remain Trustees one half of them as nearly as may be, to be determined by lot if necessary, shall go out of office, but shall be eligible for re-appointment.

5. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee, whether on a first or on any subsequent entry into office, until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

6. *Determination of Trusteeship.*—Any Trustee who is absent from all meetings of the Trustees during a period of one year, or who is adjudged bankrupt or makes a composition or arrangement with his creditors, or who is incapacitated from acting, or who communicates in writing to the Trustees a wish to resign, shall thereupon cease to be a Trustee.

7. *Vacancies.*—Upon the occurrence of a vacancy the Trustees shall, at their next meeting, cause a note thereof to be entered in their minute book, and shall cause notice thereof to be given as soon as possible to the said Council. Any competent Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

8. *Ordinary Meetings.*—The Trustees shall hold at least two ordinary meetings in each year.

9. *First Meeting.*—The first meeting of the Trustees shall be summoned by the said Earl of Lucan, or, if he fails for two calendar months after the date of this Scheme to summon a meeting, by any two of the Trustees.

10. *Chairman.*—The Trustees shall at their first ordinary meeting in each year elect one of their number to be Chairman of their meetings until the commencement of the first ordinary meeting in the following year. The Chairman shall always be eligible for re-election. If at any meeting the Chairman is not present within ten minutes after the time appointed for holding the same, or there is no Chairman, the Trustees present shall choose one of their number to be Chairman of the meeting.

11. *Special Meetings.*—A special meeting may at any time be summoned by the Chairman or any two Trustees upon four days' notice being given to all the other Trustees of the matters to be discussed.

12. *Quorum.*—There shall be a quorum when three Trustees are present at a meeting.

13. *Voting.*—Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In case of equality of votes the Chairman of the meeting shall have a casting vote, whether he has or has not previously voted on the same question, but no Trustee shall in any other circumstances give more than one vote.

14. *Minutes and Accounts.*—A minute book and books of account shall be provided and kept by the Trustees. All proper accounts in relation to the Charity shall in each year be made out and certified in such manner as the Charity Commissioners require, and copies thereof shall be transmitted to the said Commissioners, and published in conformity with the provisions of the Charitable Trusts Acts.

15. *General Power to make Regulations.*—Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the conduct of their business, including the summoning of meetings, the deposit of money at a proper bank, and the custody of documents.

16. *Clerk.*—The Trustees may appoint some fit person to be their Clerk and to hold office during their pleasure, and may pay to him (not being a Trustee) such reasonable salary as they think fit.

CONSTRUCTION OF SCHEME.

17. *Questions under Scheme.*—Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Charity Commissioners, upon such application made to them for the purpose as they think sufficient.

SCHEDULE.

A piece of land situate in the Village of Laleham having a frontage to the road leading to Ashford of 45 feet or thereabouts and a depth therefrom of 106 feet or thereabouts, together with the buildings thereon known as the Village Hall.

Sealed by Order of the Board this 26th day of August 1930.



H. D. Purdy

SECRETARY.

Printed under the authority of HIS MAJESTY'S STATIONERY OFFICE
HARRISON AND SONS, LTD., 44-47, St. Martin's Lane, London, W.C. 2,
Printers in Ordinary to His Majesty

Sealed 24th September 1974

428(S)
74.

County - Surrey.
Parish - Laleham (as in 1923).
Charity - Village Hall.

L2.
305,063/1.

Scheme.

C H A R I T Y C O M M I S S I O N .

In the matter of the Charity called the Village Hall, in the Parish of Laleham as constituted in the year 1923, in the County of Surrey, founded by conveyance dated the 10th March 1923 and comprised in a Scheme of the Charity Commissioners of the 26th August 1930; and
In the matter of the Charities Act, 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES
HEREBY ORDER that the following Scheme be approved and established:-

S C H E M E .

1. Administration of Charity. - The above-mentioned Charity and the property thereof shall be administered and managed upon the subsisting trusts thereof as varied or affected by the provisions of this Scheme.

2. Variation of Scheme. - (1) In clause 3 of the above-mentioned Scheme of the 26th August 1930 for the words "be appointed by the Urban District Council of Staines on the nomination of the Councillors for the time being representing the Laleham Ward of the said Urban District" there are substituted the words and figures "be appointed by the Borough Council of Spelthorne and shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham as constituted on the 10th March 1923".

(2) Clauses 14 and 16 of the said Scheme of the 26th August 1930 shall cease henceforth to have effect.

29-10-1-74

3. Minutes and accounts. - A minute book and books of account shall be provided and kept by the Trustees of the Charity. Statements of account in relation to the Charity shall be prepared and transmitted to the Charity Commissioners in accordance with the provisions of the Charities Act, 1960, except if and in so far as the Charity is excepted by order or regulations.

4. Clerk. - The Trustees may appoint as clerk one of their number without remuneration who shall be dismissible at their pleasure or some other fit person at such reasonable salary and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

5. Questions under Scheme. - Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

Sealed by Order of the Commissioners this 24th day
of September 1974.



JFR Quint
ASSISTANT COMMISSIONER

Sealed 26th August 1930.

3368
30



Stamps { 10s.
10s.

County—MIDDLESEX.

Parish—LALEHAM.

Charity—RECREATION GROUND.

A.
102,186.

*Scheme, including
Appointment of Trustees, and
Vesting in Official Trustee of
Charity Lands.*

CHARITY COMMISSION.

In the Matter of the Charity known as the RECREATION GROUND, in the Parish of LALEHAM, in the County of MIDDLESEX, founded by Indenture dated 10th March 1923 ; and

In the Matter of " The Charitable Trusts Acts, 1853 to 1925."

The Board of Charity Commissioners for England and Wales, upon an application made to them by the Parish Council of Laleham on the 22nd March 1930, in writing, under the hands of

The Right Honourable GEORGE CHARLES, EARL OF LUCAN, the Chairman of the said Council ; and

JAMES WATSON SLACK, and

ALBERT WILLIAM BOLDEN, Members of the said Council :

And it appearing that the said Council were the Trustees of the above-mentioned Charity at the date of the said application :

And that there are now no Trustees or persons acting in the administration of the Charity :

And after due notice of the intention to make this Order published according to the direction of the Board by being affixed to or near a principal outer door of the Parish Church and the Village Hall, Laleham, on the 4th June 1930 (being more than one calendar month before the date hereof) :

And having received no notice of any objection to the proposed Order or suggestion for the variation thereof :

Do hereby Order as follows :—

The subjoined Scheme is approved and established.

7176 (2)

SCHEME.

1. *Administration of Charity.*—The above-mentioned Charity and the endowments thereof specified in the Schedule hereto, and all other the endowments (if any) of the said Charity, shall be administered and managed by the body of Trustees hereinafter constituted, subject to and in conformity with the provisions of this Scheme, under the title of the Recreation Ground.

2. *Vesting.*—Any lands and hereditaments comprised in this Scheme are hereby vested in "The Official Trustee of Charity Lands" for all the estate and interest therein belonging to or held in trust for the Charity.

TRUSTEES.

3. *Trustees.*—The body of Trustees shall, when complete, consist of six competent persons, who shall, subject as hereinafter provided with respect to the first Trustees, be appointed by the Urban District Council of Staines on the nomination of the Councillors for the time being representing the Laleham Ward of the said Urban District. Each appointment shall be made for a term of four years at a meeting convened and held according to the ordinary practice of the Council. The Chairman of the meeting shall forthwith cause the name of each person appointed to be notified to the Trustees or their Clerk. The person appointed may be, but need not be, a member of the Council.

4. *First Trustees.*—The following persons shall be the first Trustees, and shall be entitled, subject to the provisions hereinafter contained with respect to determination of Trusteeship, to hold office for four years from the date of this Scheme :—

The Right Honourable GEORGE CHARLES, EARL OF LUCAN ; and
JAMES WATSON SLACK, of The Tiny House, Chairman of the London
Iron and Steel Exchange ;

ALBERT WILLIAM BOLDEN, of White Gates, Chairman of a Railway
Company ;

HENRY ROBERT CHANNON, of Glenard, of no occupation ;

REUBEN HONNOR, of Old Farm, Farmer ; and

SIDNEY HERBERT ROGERS, of Red Cottage, Foreign Banker ; all in
Laleham.

Provided that if at the end of two years from the date of this Scheme more than three of the said persons remain Trustees one-half of them as nearly as may be, to be determined by lot if necessary, shall go out of office, but shall be eligible for re-appointment.

5. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee, whether on a first or on any subsequent entry into office, until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

6. *Determination of Trusteeship.*—Any Trustee who is absent from all meetings of the Trustees during a period of one year, or who is adjudged bankrupt or makes a composition or arrangement with his creditors, or who is incapacitated from acting, or who communicates in writing to the Trustees a wish to resign, shall thereupon cease to be a Trustee.

7. *Vacancies.*—Upon the occurrence of a vacancy the Trustees shall, at their next meeting, cause a note thereof to be entered in their minute book, and shall cause notice thereof to be given as soon as possible to the said Council. Any competent Trustee may be re-appointed.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

8. *Ordinary Meetings.*—The Trustees shall hold at least two ordinary meetings in each year.

9. *First Meeting*.—The first meeting of the Trustees shall be summoned by the said Earl of Lucan, or, if he fails for two calendar months after the date of this Scheme to summon a meeting, by any two of the Trustees.

10. *Chairman*.—The Trustees shall at their first ordinary meeting in each year elect one of their number to be Chairman of their meetings until the commencement of the first ordinary meeting in the following year. The Chairman shall always be eligible for re-election. If at any meeting the Chairman is not present within ten minutes after the time appointed for holding the same, or there is no Chairman, the Trustees present shall choose one of their number to be Chairman of the meeting.

11. *Special Meetings*.—A special meeting may at any time be summoned by the Chairman or any two Trustees upon four days' notice being given to all the other Trustees of the matters to be discussed.

12. *Quorum*.—There shall be a quorum when three Trustees are present at a meeting.

13. *Voting*.—Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In case of equality of votes the Chairman of the meeting shall have a casting vote, whether he has or has not previously voted on the same question, but no Trustee shall in any other circumstances give more than one vote.

14. *Minutes and Accounts*.—A minute book and books of accounts shall be provided and kept by the Trustees. All proper accounts in relation to the Charity shall in each year be made out and certified in such manner as the Charity Commissioners require, and copies thereof shall be transmitted to the said Commissioners, and published in conformity with the provisions of the Charitable Trusts Acts.

15. *General Power to make Regulations*.—Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the conduct of their business, including the summoning of meetings, the deposit of money at a proper bank, and the custody of documents.

16. *Clerk*.—The Trustees may appoint some fit person to be their Clerk and to hold office during their pleasure, and may pay to him (not being a Trustee) such reasonable salary as they think fit.

GENERAL PROVISIONS.

17. *Allotments Extension Act, 1882*.—The Trustees may set apart and let in allotments in the manner prescribed by and subject to the provisions of the Allotments Extension Act, 1882, any portion of the land belonging to the Charity other than buildings and the appurtenances of buildings.

18. *Upkeep of Ground*.—The income of the sum of Stock specified in the Schedule hereto or the investments representing the same shall be applied by the Trustees towards the upkeep of the Recreation Ground belonging to the Charity.

19. *Questions under Scheme*.—Any question as to the construction of this Scheme, or as to the regularity or the validity of any acts done or about to be done under this Scheme, shall be determined conclusively by the Charity Commissioners, upon such application made to them for the purpose as they think sufficient.

A piece of land situate in the village of Barchin, containing an area of 1007 sq. thereabouts and known as the Recreation Ground, being the hereditaments coloured pink on the plan drawn on the above-mentioned Indenture dated 10th March 1923 with the exception of a piece of land containing 530 square yards or thereabouts now forming part of the Churchyard.

£54 9s. 5d. 2 $\frac{1}{2}$ per cent. Consolidated Stock held by "The Official Trustees of Charitable Funds."

Sealed by Order of the Board this 26th day of August 1930.



H. D. Shuckley

SECRETARY.

Printed under the authority of His MAJESTY'S STATIONERY OFFICE
By HARRISON AND SONS, LTD., 41-47, St. Martin's Lane, London, W.C.2.
Printers in Ordinary to His Majesty.

(B 306/3810)T Wt. 117 20 9/30 H & S Ltd. Gp. 306

Sealed 24th June 1949.

2235

49

County - MIDDLESEX.
Parish - LALEHAM.
Charity - RECREATION GROUND.

H.

102,186

Stamp 10s.

Order for vesting in Official
Trustee of Charity Lands.

CHARITY COMMISSION.



the matter of the Charity known as the RECREATION GROUND,
in the Parish of LALEHAM, in the County of MIDDLESEX,
founded by Indenture dated 10th March 1923 and comprised
in a Scheme of the Charity Commissioners of the 26th
August 1930; and
In the matter of the Charitable Trusts Acts, 1853 to 1939.

THE BOARD OF CHARITY COMMISSIONERS FOR ENGLAND AND WALES,
upon an application made to them on the 2nd April, 1949, in
writing, signed by

SIDNEY HERBERT ROGERS, of Red Cottage, Banker,
WALTER BARKER, of Home Farm, Farmer,
JOHN RONALD SCARLETT DUNCAN, of High Elms, Stockbroker,
ALEXANDER CONNELL, of Manor Farm, Farmer, and
The Reverend ERNEST JOHN COLLINSON, of The Vicarage, Clerk
in Holy Orders, all of Laleham, in the County of Hertford,
a majority of the Trustees of the above-mentioned Charity:

AND after due notice of the intention to make this Order
sent through the post to

BASIL JOHN BRYAN CORRIE, of The Corner House, Laleham,
Company Director,
the only Trustee of the Charity who was not privy to the said
application, at his last known place of abode in Great Britain or
Ireland, on the 19th May 1949:

DO HEREBY ORDER that the land specified in the schedule
hereto shall vest forthwith in The Official Trustee of Charity
Lands for all the estate and interest therein belonging to or
held in trust for the Charity.

SCHEDULE.

Land situate at Laleham, in the Parish of Staines, in the County of Middlesex, adjoining the Laleham Recreation Ground, comprised in a Conveyance dated the 15th September 1948, made between The Right Honourable George Charles Earl of Lucan of the one part and Walter Barker and five others of the other part, and recorded in the books of the Charity Commissioners pursuant to the provisions of Section 29(4) of the Settled Land Act, 1925, on the 8th March, 1949.

Sealed by Order of the Board this 24th day

of June 1949.



My Richard

SECRETARY.

3066.

Sealed 4th November 1969.

2686
69



County - Surrey.
Place - Laleham.
Charity - Recreation Ground.

L2.
131,438 Pt.II.

Order for vesting in Official
Custodian for Charities.

C H A R I T Y C O M M I S S I O N .

In the matter of the Charity called the Recreation Ground,
at Laleham, in the County of Surrey, founded by conveyance
dated the 10th March 1923 and comprised in a Scheme of the
Charity Commissioners of the 26th August 1930; and
In the matter of the Charities Act, 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER
that the land specified in the schedule hereto shall vest forthwith
in the Official Custodian for Charities for all the estate and interest
therein belonging to or held in trust for the Charity.

S C H E D U L E .

A strip of land situate at Laleham in the County of Surrey leading
from Laleham Recreation Ground to The Broadway being the land comprised
in a conveyance made the 16th July 1969 between The Right Honourable
Richard John Seventh Earl of Lucan of the one part and Bryan Corrie
and five others of the other part.

Sealed by Order of the Commissioners this 4th day
of November 1969.



John Redfern

ASSISTANT COMMISSIONER

Sealed 4th November 1969.

2686
69

County - Surrey.
Place - Laleham.
Charity - Recreation Ground.

L2.
131,438 Pt.II.

Stamp 10s.

Order for vesting in Official
Custodian for Charities.

C H A R I T Y C O M M I S S I O N .

In the matter of the Charity called the Recreation Ground,
at Laleham, in the County of Surrey, founded by conveyance
dated the 10th March 1923 and comprised in a Scheme of the
Charity Commissioners of the 26th August 1930; and
In the matter of the Charities Act, 1960.

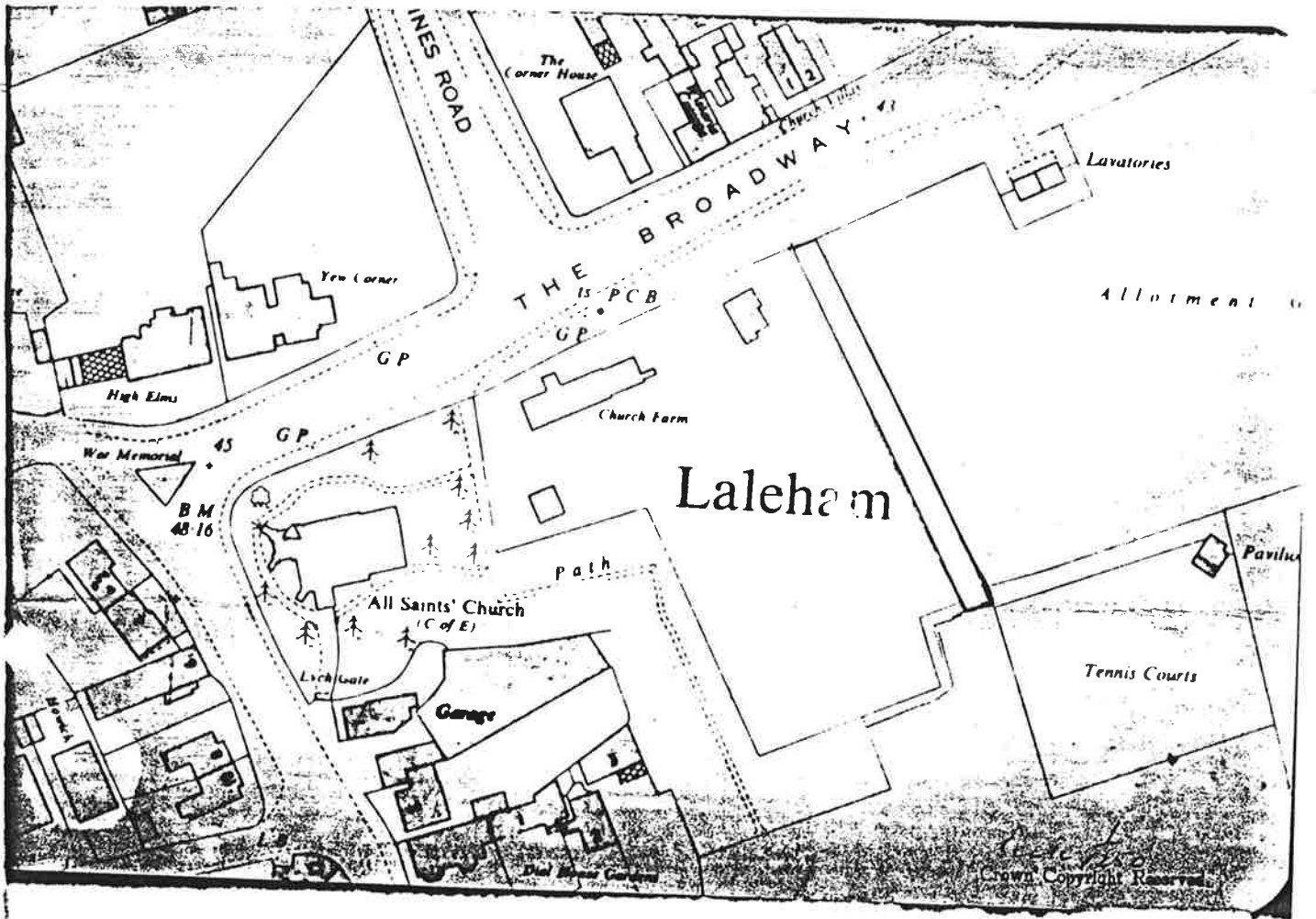
THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER
that the land specified in the schedule hereto shall vest forthwith
in the Official Custodian for Charities for all the estate and interest
therein belonging to or held in trust for the Charity.

S C H E D U L E .

A strip of land situate at Laleham in the County of Surrey leading
from Laleham Recreation Ground to The Broadway being the land comprised
in a conveyance made the 16th July 1969 between The Right Honourable
Richard John Seventh Earl of Lucan of the one part and Bryan Corrie
and five others of the other part.

Sealed by Order of the Commissioners this 4th day
of November 1969.

L.S.



Sealed 25th February 1974

88(S)
74.

County - Surrey.
Parish - Laleham (as in 1923).
Charity - Recreation Ground.

L2.
305,069/1.

Scheme varying Scheme.

C H A R I T Y C O M M I S S I O N .

In the matter of the Charity called the Recreation Ground, in the Parish of Laleham (as constituted in the year 1923), in the County of Surrey, founded by conveyance dated the 10th March 1923 and comprised in a Scheme of the Charity Commissioners of the 26th August 1930; and
In the matter of the Charities Act, 1960.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as a Scheme varying the above-mentioned Scheme of the 26th August 1930:-

S C H E M E .

1. Administration of Charity. - The above-mentioned Charity and the property thereof shall be administered and managed upon the subsisting trusts thereof as varied or affected by the provisions of this Scheme.

2. Variation of Scheme. - (1) Clauses 14 and 17 of the above-mentioned Scheme of the 26th August 1930 shall cease henceforth to have effect.

(2) In clause 3 of the said Scheme for the words "on the nomination of the Councillors for the time being representing the Laleham Ward of the said Urban District" there are substituted the words and figures "and shall be persons who through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham as constituted on the 10th March 1923".

1770-20-11-73

(3) Clause 16 of the said Scheme shall be henceforth as follows:

16. Clerk. - The Trustees may appoint as clerk one of their number without remuneration who shall be dismissible at their pleasure or some other fit person at such reasonable salary and upon such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

3. Minutes and accounts. - A minute book and books of account shall be provided and kept by the Trustees of the Charity. Statements of account in relation to the Charity shall be prepared and transmitted to the Charity Commissioners in accordance with the provisions of the Charities Act, 1960, except if and in so far as the Charity is excepted by order or regulations.

4. Questions under Scheme. - Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

Sealed by Order of the Commissioners this 25th day
of February 1974.



John Redfern

ASSISTANT COMMISSIONER

1770

4230(H) RIS 148034 IM 12/73 A.G. 3640/4

NAME OF CHARITY

Recreation Ground

REGISTRATION NUMBER

305069

CIVIL AREA

Staines

DISTRICT

Spelthorne D

GOVERNING INSTRUMENT Conveyance dated 10th March 1923, and Schemes of the 26th August 1930 and 25th February 1974

OBJECTS

A Recreation Ground, for the benefit of the inhabitants of the parish of Laleham.

COUNTY

Surrey

CODE

533

CORRESPONDENT

B Corrie Esq
The Boreen
Condor Road
Laleham-on-Thames
Middlesex

BENEFICIAL AREA

Parish of Laleham (as in 1923)

INCOME

REMARKS

INLAND REVENUE REF.

PREPARED

RE 5

GUIDELINES FOR THE BODY OF TRUSTEES APPOINTED
FOR THE ADMINISTRATION OF THE LALEHAM CHARITIES

29 January 1999

Draft Issue 2

1. AUTHORITY & PURPOSE

The purpose of this document is to provide working guidelines to the appointed Body of Trustees, herein after known as the "Trustees", for the administration of the two Charities, known collectively as the Laleham Charities. The main provisions of the document are drawn directly from the establishing and variation Charity Commission Schemes, which retain precedence in all matters relating to the administration of the Charities.

All responsibilities, duties and procedures declared in this document, other than those expressly attributed to the "management committees", relate to the Trustees.

2. BACKGROUND

The Laleham Charities, comprising the VILLAGE HALL and the RECREATION GROUND, were founded by Indentures, dated 10 March 1923, enrolled in the Books of the Charity Commissioners on 5 June 1923, and subsequently incorporated and established into separate Schemes under the jurisdiction of the Board of Charity Commissioners on 26 August 1930. The respective Charity Registration Numbers are: 305063 and 305069.

Under the terms of the Schemes, a Body of Trustees is charged with the administration and management of each Charity, in conformity with the provisions of the respective Schemes. The same first trustees were appointed to administer both Charities, and their successors have continued to do so. However, this is a matter of convenience rather than a stipulated requirement.

Under the terms of the two Schemes, all land and buildings associated with the respective charities, are vested in "The Official Trustee of Charity Lands".

3. AIMS

The purpose of the Charities and their founding Deeds of Gift, is for the Trustees to administer and manage the Village Hall and the Recreation Ground and any buildings erected thereon, for the recreation, entertainment, enjoyment and benefit of the inhabitants of the Parish of Laleham.

4. MANAGEMENT RESPONSIBILITIES

4.1 The day to day management of the facilities and their use, shall, at the discretion of the Trustees, be undertaken by separate management committees, which consist in part of appointed and elected members. The election and/or appointment of members shall take place at annual general meetings of the respective Charities.

Note: This has traditionally been the modus operandi since 1908 for the Village Hall, and 1920 for the Recreation Ground.

The arrangements for the election and appointment of the committees shall be defined in the management documents described in clause 4.2.

4.2 The Trustees shall provide guidelines to the management committees, for their administrative duties, by issuing and maintaining appropriate 'Management Constitutions'.

4.3 The Trustees shall ensure that the operation of the various management tasks undertaken by the committees, are satisfactorily performed, and shall require relevant supporting documentary evidence, as may from time to time, be deemed desirable.

4.4 The management committees shall at all times, support the Trustees in the fulfilment of their own legal and statutory obligations, with respect to the operation of the Charities.

4.5 The Trustees shall be ex officio members of both management committees.

5. MEMBERSHIP

5.1 The Body of Trustees shall number six 'competent' persons, and be appointed, each for a term of four years, by Spelthorne Borough Council, or its successor. The term of appointment of half of the Trustees as nearly maybe, shall be staggered by two years.

5.2 Upon a vacancy occurring, either by completion of term, resignation, death or some other reason, the Trustees shall give notice to the said Council of that vacancy. Accompanying the notice of vacancy, the Trustees may recommend an acceptable person as a suitable replacement, provided that person shall through residence, occupation or employment, or otherwise have special knowledge of the area of the Parish of Laleham.

5.3 Any competent Trustee may recommended for re-appointment, at the expiry of their preceding term of office, by formal notification to the Council.

5.4 Additional to the Body of Trustees, the Trustees may appoint a clerk or secretary to hold office during their pleasure. The person appointed shall not have any voting rights, but neither shall that person have any legal responsibility for any actions or decisions of the Trustees.

6. OFFICERS

6.1 The Officers shall comprise a Chairman, a Deputy Chairman, if considered desirable by the Trustees, and a Treasurer.

6.2 The Trustees shall elect one of their number to be Chairman, at the first ordinary meeting in each year. The Chairman shall always be eligible for re-election.

6.3 The Deputy Chairman, if any, and the Treasurer shall similarly be elected, and remain eligible for re-election.

7. MEETINGS OF THE TRUSTEES

7.1 The Trustees shall hold at least two ordinary meetings in each year. Notice of the date, time and venue of the next meeting shall normally be agreed at the conclusion of each meeting.

7.2 The Chairman, either on his or her own behalf, or at the prompting of two or more Trustees, may summon special meetings upon four day's notice being given to all other Trustees, to deal with any emergency or special matters.

7.3 If at any meeting the Chairman and Deputy Chairman are unable to attend, then the Trustees present shall choose one of their number to act as chairman for that meeting.

7.4 A record of the proceedings of each meeting shall be made and approved by the assembled Trustees at the start of the subsequent meeting.

8. QUORUM AND VOTING

8.1 There shall be a Quorum when three Trustees are present at a meeting.

8.2 Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In the case of equality of votes the chairman of the meeting shall have a casting vote, whether he/she has or has not previously voted on the same question.

9. FINANCE

9.1 The Body of Trustees may at their discretion, maintain reasonable funds, separate from those managed by the respective management committees.

9.2 Such funds shall normally be to cover small administrative expenses associated with the operation of the Board of Trustees, a contingency against any initial enquiry or legal cost which may be associated with a change to the extent or provision of either Charity, the provision of small tokens of respect to the families of past Trustees or members of management committees, or the means whereby the Trustees are enabled to make small grants to either management committee, to meet special needs. The expenditure of such funds shall be with the knowledge and agreement of a majority of the Trustees.

9.3 The funds may, at the discretion of the Trustees, comprise petty cash, cash held in current or deposit accounts and/or revenue producing investments. Withdrawals from Trustee accounts shall require the signature of any two Trustees.

9.4 The Financial Year shall commence on the first day of January in each year and conclude on the thirty-first day of the following December.

9.5 The financial affairs of the Trustees shall be under the stewardship of the elected Trustee Treasurer, who shall be responsible for presenting a simple set of accounts, at the conclusion of each financial year, to the Trustees for their approval.

9.6 The year-end accounts shall be subjected to an audit, employing the services of some suitable person.

Authorised on behalf of the Trustees

Ian Allan, Chairman

Date:

This page is intentionally left blank

The secretary of the Charity has supplied the following information about their nominee:

David (Dominic) O'Malley is a current Trustee seeking reappointment.

He has lived in Laleham for 11 years and took an early active role within the village community by joining the Residents Association Committee in 2013, on which he served on for seven years.

With an interest in local history he applied to be, and was appointed, Curator of Laleham Heritage Centre in 2015. Through a small volunteer team, the Heritage Centre actively promotes interest and knowledge of the historic Parish of Laleham through monthly openings, locally published articles and information circulations.

David is currently the Trustees' treasurer.

He is a recently retired Magistrate who served on the Surrey Bench, principally at Staines Magistrates Court.

This page is intentionally left blank

Administrative Committee



12 October 2023

Title	Appointment of Representative Trustees – Staines Parochial Charity
Purpose of the report	To make a decision
Report Author	Karen Wyeth, Principal Committee Manager
Ward(s) Affected	Staines Staines South
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Committee is asked to:</p> <p>Agree the appointment of:</p> <ul style="list-style-type: none"> • Mrs Jean Pinkerton OBE <p>For a period of four years as requested by the Charity.</p>
Reason for Recommendation	The Council has a duty to appoint representative trustees to charities whose charity scheme dictates appointments should be made by the Council.

1. Summary of the report

- 1.1 This report seeks agreement to the proposed appointment of a representative trustee to the Staines Parochial Charity.
- 1.2 The Staines Parochial Charity provides relief either generally or individually to persons who are either resident in the Ancient Parish of Staines, or who within the previous two years have become resident within the area of the former Urban District of Staines having previously lived in the Ancient Parish of Staines, who are in conditions of need, hardship or distress.
- 1.3 The Charity was advised one of their current trustees term was expiring and they in turn informed the Council they wished the Council to reappoint Mrs Jean Pinkerton OBE.

2. Key issues

2.1 The responsibility for appointing to charities was moved into the remit of the Administrative Committee following a review of committee terms of reference in May 2022.

3. Options analysis and proposal

3.1 Option one (recommended): agree the charity's nominations as proposed.

3.2 Option two (not recommended): propose and agree alternative nominations. This may cause upset with the charity and the local community.

4. Financial implications

4.1 There are none.

5. Risk considerations

5.1 If the Council were to propose and agree alternative nominations, this may cause upset with the charity and the local community.

6. Procurement considerations

6.1 There are none.

7. Legal considerations

7.1 There are none.

8. Other considerations

8.1 There are none.

9. Equality and Diversity

9.1 There are none.

10. Sustainability/Climate Change Implications

10.1 There are none.

11. Timetable for implementation

11.1 The nominations will be effective on the passing of a resolution by the Administrative Committee.

12. Contact

12.1 Committee Services; committeeservices@spelthorne.gov.uk

Background papers: *Relevant background papers are attached as appendices*

Appendices:

Appendix 1 – Charity Scheme for Staines Parochial Charity

Appendix 2 - Credentials of Mrs Jean Pinkerton OBE

Please note title
clause 1 "Parochial Charities."

County—MIDDLESEX.

Ancient Parish—STAINES.

Charities—LOANE and others.

H.
66,745.

Stamp 10s.

Scheme including appointment of Trustees.

CHARITY COMMISSION.

In the matter of the following Charities, in the Ancient Parish of STAINES, in the County of MIDDLESEX :—

1. The Charity of NATHANIEL LOANE, founded by will dated the 22nd July 1625 ;—
2. The Charity of JOHN ARWOOD, founded by will dated the 14th November 1681 ;—
3. The Charity of WILLIAM STEERE, founded by will dated the 22nd November 1701 ;—
4. The Charity of THOMAS HEAMES, founded by will dated the 3rd December 1705 and —
comprised in a Scheme of the Charity Commissioners of the 25th August 1899 ;
5. The Charity of RICHARD BUTTON, founded by will dated the 31st August 1797 ;—
6. The Charity of JOHN BERRYMAN, founded by will dated the 24th February 1806 ;—
7. The Charity of ANTHONY WELLS, founded by will dated the 10th October 1836 ;—
8. The Charity of GEORGE FOURNIER, founded by will dated the 21st July 1837 ;—
9. The Charity of MARTHA TOWSE, founded by will dated the 26th April 1842 ;—
10. The Charity of WILLIAM PATTEN, founded by will and codicil proved at Northampton—
on the 1st April 1876 ;
11. The CHARITY OF MARY ANN PEARCE, INCLUDING THE AUGMENTATION
FUND AND THE AUXILIARY ENDOWMENTS OF CHARLES WALLACE,
MISS POPE'S TRUSTEES AND ELIZA MARIA HARRIS, regulated by a Scheme
of the Charity Commissioners of the 5th March 1915 ; and

In the matter of the Charitable Trusts Acts, 1853 to 1939.

The Board of Charity Commissioners for England and Wales
do hereby Order that the following Scheme be approved and established as the Scheme for
the regulation of the above-mentioned Charities :—

SCHEME.

1. *Administration of Charities.*—The above-mentioned Charities and the endowments thereof specified in the schedule hereto and all other the endowments (if any) of the Charities shall be administered and managed subject to and in conformity with the provisions of this Scheme under the title of The Parochial Charities by the body of Trustees hereinafter constituted.

TRUSTEES.

2. *Trustees.*—The body of Trustees shall consist when complete of eight competent persons being—

- One Ex-officio Trustee,
- Five Representative Trustees and
- Two Co-optative Trustees.

3. *Ex-officio Trustee.*—The Ex-officio Trustee shall be.

The VICAR for the time being of the Ecclesiastical Parish of St. Mary, Staines.

4. *Representative Trustees.*—The Representative Trustees shall be appointed by the Urban District Council of Staines upon the nomination of the Councillors for the time being representing the Staines Ward of the Urban District of Staines. Each appointment shall be made for a term of

four years at a meeting convened and held according to the ordinary practice of the council. 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 may be but need not be a member of the council.

5. *First Representative Trustees.*—The first Representative Trustees shall be appointed as soon as possible after the date hereof and their names shall be notified to the said Vicar on behalf of the Trustees. At the end of two years from the date of the appointment of the first Representative Trustees if more than three remain Trustees two of them to be determined by lot if necessary shall go out of office but shall be eligible for re-appointment.

6. *Co-optative Trustees.*—The Co-optative Trustees shall be persons residing or carrying on business in or near Staines.

7. *First Co-optative Trustees.*—The following persons shall be the first Co-optative Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall be entitled to hold office for the following periods respectively :—

HERBERT WALTER GREEN, of Moorside, 48 Sidney Road, Staines, Retired Works Cashier, for five years from the date of this Scheme ;

CHARLES HOLDER, of 21-23 Thames Street, Staines, Newsagent, for three years from the date of this Scheme.

8. *Future Co-optative Trustees.*—Every future Co-optative Trustee shall be appointed for a term of five years by a resolution of the Trustees to be passed at a special meeting.

9. *Declaration by Trustees.*—No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

10. *Determination of trusteeship.*—Any Co-optative Trustee who ceases to be qualified as aforesaid, any Representative or Co-optative Trustee who is absent from all meetings of the Trustees during a period of one year and any Trustee who is adjudged bankrupt or makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the Trustees a wish to resign shall cease thereupon to be a Trustee.

11. *Vacancies.*—Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Representative Trustee shall cause notice thereof to be given as soon as possible to the said council. Any competent Trustee may be re-appointed. No vacancy in the office of Co-optative Trustee shall be filled until after the lapse of one calendar month from its occurrence.

MEETINGS AND PROCEEDINGS OF TRUSTEES.

12. *Ordinary meetings.*—The Trustees shall hold at least two ordinary meetings in each year.

13. *First meeting.*—The first meeting of the Trustees shall be summoned by the said Vicar or if he fails for two calendar months after the date of this Scheme to summon a meeting by any two of the Trustees.

14. *Chairman.*—The Trustees at their first ordinary meeting in each year shall elect one of their number to be chairman of their meetings until the commencement of the first ordinary meeting in the following year. The chairman shall always be eligible for re-election. If at any meeting the chairman is not present within ten minutes after the time appointed for holding the same or there is no chairman, the Trustees present shall choose one of their number to be chairman of the meeting.

15. *Special meetings.*—A special meeting may be summoned at any time by the chairman or any two Trustees upon four days' notice being given to all the other Trustees of the matters to be discussed.

16. *Quorum.*—There shall be a quorum when three Trustees are present at a meeting.

17. *Voting.*—Every matter shall be determined by the majority of votes of the Trustees present and voting on the question. In case of equality of votes the chairman of the meeting shall have a casting vote whether he has or has not voted previously on the same question but no Trustee in any other circumstances shall give more than one vote.

18. *Minutes and accounts.*—A minute book and books of account shall be provided and kept by the Trustees. All proper accounts in relation to the Charities shall be made out in each year and certified in such manner as the Charity Commissioners require and copies thereof shall be transmitted to the said Commissioners in compliance with the provisions of the Charitable Trusts Acts.

19. *General power to make regulations.*—Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the management of the Charities and for the conduct of their business including the summoning of meetings, the deposit of money at a proper bank and the custody of documents.

20. *Clerk.*—The Trustees may appoint some fit person to be their Clerk and to hold office during their pleasure and may pay to him (not being a Trustee) such reasonable salary as they think fit.

APPLICATION OF INCOME.

21. *Expenses of management.*—The Trustees shall first defray out of the income of the Charities the cost of repairs and insurance and all other charges and outgoings payable in respect of the property of the Charities and all the proper costs, charges and expenses of and incidental to the administration and management of the Charities.

22. *Extraordinary Repair Fund.*—(1) Subject to any further Order or Orders of the Charity Commissioners a fund for the extraordinary repair, improvement or rebuilding of the Almshouse buildings belonging to the Charity numbered 11 above shall be provided and maintained as follows.

(2) The Trustees shall pay to the Official Trustees of Charitable Funds a yearly sum of not less than £30 out of the income of the Charities and the said Official Trustees shall invest the yearly sum so paid at compound interest in the purchase in their name to the credit of an account to be entitled Extraordinary Repair Fund of one or more of the stocks, funds or securities (other than real securities) authorised by law for the investment of trust funds.

23. *Benefit of Almspeople.*—The Trustees shall apply a sum not exceeding £50 a year out of the clear income of the Charities for the benefit of the Almspeople hereinafter mentioned in such manner whether by way of stipend or otherwise as the Trustees think fit.

24. *Benefit of poor.*—Subject as aforesaid the Trustees shall apply the clear yearly income of the Charities in making payments under one or both of the following heads for the benefit of such poor persons resident in the area of the Ancient Parish of Staines as the Trustees select for this purpose and in such way as they consider most advantageous to the recipients:—

(i) The supply of clothes, boots, blankets, fuel, medical or other aid in sickness, food or other articles in kind;

(ii) Temporary assistance in money, by way of loan or otherwise, in case of urgent need: Provided that income shall in no case be applied in relief of rates, taxes or other public funds or so that any person may become entitled to a periodical or recurrent benefit therefrom.

ALMSHOUSES AND ALMSPEOPLE.

25. *Almshouses.*—The Almshouses belonging to the said Charity numbered 11 and the property heretofore occupied therewith shall be appropriated and used for the residence of Almspeople in conformity with the provisions of this Scheme.

26. *Saving for existing Almspeople.*—Appointments of Almspeople under this Scheme shall be made without prejudice to the interests of the existing Almspeople.

27. *Number and qualifications of Almspeople.*—The full number of Almspeople shall be five or such number as the Charity Commissioners by Order prescribe from time to time. They shall be poor widows of good character of not less than 60 years of age who (except in special cases to be approved by the Charity Commissioners) have resided in the area of the Ancient Parish of Staines for not less than two years next preceding the time of appointment.

28. *Notice of vacancy.*—No appointment of an Almsperson shall be made by the Trustees until a sufficient notice of an existing vacancy, specifying the qualifications required from candidates, has been published in the area of the said ancient parish by advertisement or otherwise so as to give due publicity to the intended appointment but it shall not be necessary to publish a notice if a vacancy occurs within twelve calendar months after the last notice of a vacancy. Notices may be according to the Form annexed hereto.

29. *Applications for appointment.*—All applications for appointment shall be made in writing in such manner as the Trustees may direct to the Trustees or their Clerk. Before appointing any applicant to be an Almsperson the Trustees shall require her to attend in person unless she is physically disabled or the Trustees are of opinion that special circumstances render this unnecessary. Every applicant must be prepared with sufficient testimonials and other evidence of her qualification for appointment.

30. *Selection of Almspeople.*—Every Almsperson shall be selected under the following conditions :—

- (1) After full investigation of the character and circumstances of the applicants.
- (2) Where claims are equal preference shall be given to those applicants who have resided longest in the area of the said ancient parish.

For the purposes of this clause the Trustees may avail themselves of the services of any charity organisation society or other like agency.

31. *Appointments of Almspeople.*—Every appointment of an Almsperson shall be made by the Trustees at a special meeting.

32. *Records.*—The Trustees shall provide and keep a book in which shall be entered the name, age and description of every person appointed to be an Almsperson, the date of every appointment and the date and occasion of every vacancy. They shall also keep a register of all applications for appointment.

33. *Absence from Almshouses.*—No Almsperson shall be absent from the Almshouses for a period exceeding 72 hours without the consent in writing of the Trustees or their Clerk.

34. *Rooms not to be let.*—No Almsperson shall be permitted to let or part with the possession of the room or rooms allotted to her or, except with the special permission of the Trustees, to suffer any person to share the occupation of the same or of any part thereof.

35. *Removal of Almspeople.*—(1) The following persons may be removed from being Almspeople :—

- (a) Any Almsperson who in the opinion of the Trustees is guilty of insobriety, insubordination, breach of regulations or immoral or improper conduct ;
- (b) Any Almsperson who in the opinion of the Trustees no longer has the required qualifications ;
- (c) Any Almsperson who has been appointed without having the required qualifications ;
- (d) Any Almsperson who is suffering from mental or other disease or infirmity rendering her unfit to remain an Almsperson.

(2) Upon the removal of any Almsperson the Trustees shall take possession of the room or rooms occupied by her.

(3) Any Almsperson removed under section (1) of this clause on account of mental or other disease or infirmity, may, on recovery, be re-appointed without previous notice being given of the vacancy and need not have the qualification as to residence.

36. *Regulations.*—The Trustees may from time to time prescribe such reasonable regulations as they consider expedient for the government of the Almspeople, but so that the same shall not be at variance or inconsistent with any of the provisions of this Scheme, and by such regulations may provide that the Almspeople shall render such assistance to each other as is within their power.

GENERAL PROVISIONS.

37. *Investment of cash.*—All sums of cash now or at any time belonging to the Charities and not needed for immediate working purposes shall be invested (unless otherwise ordered) as soon as possible under the authority of a further Order of the Charity Commissioners in the name of The Official Trustees of Charitable Funds.

38. *Appropriation of benefits.*—The appropriation of the benefits of the Charities shall be made by the Trustees from time to time at meetings of their body and not separately by any individual Trustee or Trustees.

39. *Trustees not to be personally interested.*—No Trustee shall take or hold any interest in property belonging to the Charities otherwise than as a Trustee for the purposes thereof and no Trustee shall receive any remuneration, or be interested in the supply of work or goods, at the cost of the Charities.

40. *Questions under Scheme.*—Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined conclusively by the Charity Commissioners upon such application made to them for the purpose as they think sufficient.

FORM OF NOTICE.

In the matter of the CHARITY OF MARY ANN PEARCE INCLUDING THE AUGMENTATION FUND, AND THE AUXILIARY ENDOWMENTS OF CHARLES WALLACE, MISS POPE'S TRUSTEES AND ELIZA MARIA HARRIS, being one of THE PAROCHIAL CHARITIES, in the Ancient Parish of STAINES, in the County of MIDDLESEX.

Notice is given that a vacancy exists for an Almsperson of this Charity.

Poor widows of good character of not less than 60 years of age who have resided in the area of the Ancient Parish of Staines for not less than two years next preceding the time of appointment are eligible for appointment. Preference will be given to the applicant who has resided longest in the said area.

Application for appointment must be made in writing to

at

on or before the _____ 19 . Every applicant must state her name, address, age and occupation, and must be prepared to produce sufficient testimonials and other evidence of her qualification for appointment and, unless physically disabled, to attend in person.

Note.—In special cases to be approved by the Charity Commissioners persons who do not possess the prescribed qualification as to residence may be appointed if otherwise qualified.

Signed

Clerk to the Trustees.

SCHEDULE.

Charity numbered 1 above.

One equal twelfth part share or interest of and in the rents and profits of land with buildings thereon in the City of London known as 23 and 24 Old Bailey now let to Mitchells Ashworth Stansfield and Company Limited for the term of 21 years from the 25th March 1951 at the yearly rent of £4,000.

£375 17s. 6d. 2½ per cent. Consolidated Stock.

Charity numbered 2 above.

£40 2½ per cent. Consolidated Stock.

Charity numbered 3 above.

£40 2½ per cent. Consolidated Stock.

Charity numbered 4 above.

£208 2½ per cent. Annuities.

Charity numbered 5 above.

£100 2½ per cent. Consolidated Stock.

Charity numbered 6 above.

£200 2½ per cent. Consolidated Stock.

Charity numbered 7 above.

£111 17s. 9d. 2½ per cent. Consolidated Stock.

Charity numbered 8 above.

£2,016 0s. 6d. 2½ per cent. Consolidated Stock.

Charity numbered 9 above.

£178 2s. 11d. 2½ per cent. Consolidated Stock.

Charity numbered 10 above.

£52 16s. 8d. 2½ per cent. Consolidated Stock.

Charity numbered 11 above.

Five almshouse buildings with the sites and appurtenances situate on the south side of High Street in the Parish of Staines.

A piece of land situate opposite the said almshouse buildings.— see Exchange of 1755 (Inst 73, L52, 53)

A right of way along the road leading from the town of Staines to the said almshouse buildings on the south side.

£1,873 18s. 3 per cent. Savings Bonds, 1960-70.

£996 9s. 10d. British Transport 3 per cent. Guaranteed Stock, 1978-88.

Notes.—(1) The above-mentioned land or interest which belong to the said Charity numbered 1 is vested in The Official Trustee of Charity Lands.

(2) All the above-mentioned investments stand in the name of The Official Trustees of Charitable Funds.

(3) The freehold and leasehold lands and hereditaments belonging to the said Charity numbered 11 were vested in The Official Trustee of Charity Lands by an Order of the Charity Commissioners of the 6th January 1893.

Sold by an
Order of the
CC
29/5/64
for £4,000

Sealed by Order of the Board this 19th day of May 1953.



Printed in Great Britain under the authority of HER MAJESTY'S STATIONERY OFFICE
By HARRISON AND SONS LTD., London.
(SO 2250) Wt. 8848-2009 25 5/53 H & S Ltd. Gp. 392

This page is intentionally left blank

The Charity has supplied the following information about their nominee:

Mrs Jean Pinkerton is already a valued Trustee of Staines Parochial Charity and has been so for a few years now.

The Trustees meet twice a year and Jean has been at every meeting since she became a Trustee and always makes a valuable contribution to discussions.

Jean has a vast, detailed knowledge of those in need through her being a Patron of Homestart and a Trustee of Rentstart.

Jean has many connections in Spelthorne as she was a Councillor for many years and Mayor for one.

She has provided ideas for publicity and thoughts on the distribution of grants.

As Chair I would heartily endorse Mrs Jean Pinkertons re appointment to Staines Parochial Charity

This page is intentionally left blank

Administrative Committee



12 October 2023

Title	Appointments to Outside Bodies 2023-24
Purpose of the report	To make a decision
Report Author	Karen Wyeth, Principal Committee Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Committee decision.
Recommendations	<p>Committee is asked to:</p> <p>Agree the nomination to the Surrey Environment Partnership for the 2023-24 municipal year, as proposed by a group leader.</p>
Reason for Recommendation	To ensure that the Council maintains appropriate representation on bodies that it nominates representatives to.

1. Summary of the report

- 1.1 This report seeks the Administrative Committee's agreement on a proposed appointment to the Surrey Environment Partnership, for the 2023-24 municipal year, as proposed by a group leader.
- 1.2 Following non-appointment to this position in June 2023, the Council was asked if any further nominations could be considered at this meeting of the Administrative Committee. Group Leaders were requested to put forward their nominations, if any, by publication of this agenda.

2. Key issues

- 2.1 The responsibility for nominating to outside bodies (with the exception of the South West Middlesex Crematorium Board and the Surrey Police and Crime Panel which are reserved to Council) was moved into the remit of the Administrative Committee following a review of committee terms of reference in May 2022. This responsibility previously fell to the Corporate Policy and Resources Committee.

3. Options analysis and proposal

- 3.1 The nomination, as proposed by a group leader, is attached at Appendix A. Failure to agree this nomination will result in a delay to the Council taking up its representation on this outside body.

4. Financial implications

4.1 There are none.

5. Risk considerations

5.1 See section 3 of this report.

6. Procurement considerations

6.1 There are none.

7. Legal considerations

7.1 There are none.

8. Other considerations

8.1 There are none.

9. Equality and Diversity

9.1 There are no considerations.

10. Sustainability/Climate Change Implications

10.1 There are none.

11. Timetable for implementation

11.1 The nominations will be effective on the passing of a resolution by the Administrative Committee.

12. Contact

12.1 Committee Services; committeeservices@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix A – Nomination for the Surrey Environment Partnership

NOMINATIONS TO OUTSIDE BODIES - 2023/24

ORGANISATION	NOMINATION 2023-24	ROLE	NO. ROLES
Surrey Environment Partnership	Cllr Karen Howkins	Representative	1

This page is intentionally left blank

Internal processes have been put in place for Charity Appointments following the call-in to the appointment to Laleham Charities – Village Hall and Recreation Ground at the Council meeting in February 2023. The Call-in highlighted there was no right of reply for the charity if alternative nominations were proposed at the meeting.

The following actions will now be undertaken when seeking appointments for Charity Trustees:

- Six weeks before an appoint expires, the Charity's secretary will be contacted to ask whether the incumbent seeks re-appointment, or if they are retiring, a nomination for a replacement. Details as to why the person is considered suitable for the position will be requested, as well as asking the charity to demonstrate how their nominee(s) were chosen. They will be encouraged to advertise the vacancy.
- At the same time, ward councillors will be informed of the vacancy as well as the deadline for nominations alongside the Charity's governing document and any criteria that applies to the appointment.
- When all nominations are received, the secretary of the Charity and the Ward Councillors will be advised of the nominations and the procedure to speak in support of their nomination at Committee.
- All nominee's names and suitability details (with personal information redacted) will be in a report to Committee, and the Charity's governing document will be attached as an appendix.
- At the Committee, the Chair will invite the Charity and relevant ward councillor to speak in support of their nominee for no more than 3 minutes. A proposer and a seconder for an appointment will be sought if there is more than one candidate. The matter will be debated in closed session if there is more than one candidate. If there is more than one appointment to be filled, the process will repeat for each appointment.
- Following the Committee, the secretary of the Charity will be informed of who is appointed, and relevant contact details will be provided if it is the ward councillor's nomination. The Ward Councillors will be copied in to the communication.

This page is intentionally left blank



Spelthorne Borough Council Services Committees Forward Plan and Key Decisions

This Forward Plan sets out the decisions which the Service Committees expect to take over the forthcoming months, and identifies those which are **Key Decisions**.

A **Key Decision** is a decision to be taken by the Service Committee, which is either likely to result in significant expenditure or savings or to have significant effects on those living or working in an area comprising two or more wards in the Borough.

Please direct any enquiries about this Plan to CommitteeServices@spelthorne.gov.uk.

Spelthorne Borough Council

Service Committees Forward Plan and Key Decisions for 1 October 2023 to 31 January 2024

Anticipated earliest (or next) date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Administrative Committee 12 10 2023	Annual Report on Complaints To report on complaints statistics for 22-23 under the Council's Complaints procedure and investigated by the Ombudsman.	Non-Key Decision	Public	Gillian Scott, Corporate Governance Support Officer
Administrative Committee 12 10 2023	Appointment of Charity Trustees - Laleham Charities Village Hall and Recreation Ground Appointment of one representative trustee to Laleham Charities Village Hall and Recreation Ground.	Non-Key Decision	Public	Christeen Abee, Senior Committee Manager
Administrative Committee 12 10 2023	Appointment of Charity Trustees - Staines Parochial Charity Appointment of one representative trustee to Staines Parochial Charity.	Non-Key Decision	Public	Karen Wyeth, Principal Committee Manager
Administrative Committee 12 10 2023	Review of Charity Appointments Process	Non-Key Decision	Public	Farida Hussain, Group Head- Corporate Governance
Administrative Committee 08 02 2024	Update on Projects	Non-Key Decision	Public	Dan Dredge, Control and Systems Manager, Sandy Muirhead, Group Head - Commissioning and Transformation

Date of decision and decision maker	Matter for consideration	Key or non-Key Decision	Decision to be taken in Public or Private	Lead Officer
Administrative Committee 08 02 2024	Procurement of a New Website	Non-Key Decision	Public	Jennifer Medcraft, Head of Communications and Customer Experience
Administrative Committee 08 02 2024	Summary of Reported Issues	Non-Key Decision	Public	Sandy Muirhead, Group Head - Commissioning and Transformation

This page is intentionally left blank