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**Subject:** ACCOUNTS AND ANNUAL RETURNS: SALTER COLLECTION CHARITY (CHARITY NO. 288731); SIR ERNEST BRUCE CHARLES CHARITY (CHARITY NO. 1021750); AND CHARITY OF FREDERICK FRANKLIN FOR A PUBLIC PARK (CHARITY NO. 1092171)

**Meeting and Date:** Cabinet - 4 September 2017

**Report of:** Mike Davis, Director of Finance, Housing and Community

**Portfolio Holder:** Executive – Charity

**Decision Type:** Non-Key Decision

**Classification:** Unrestricted

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**Purpose of the report:** To notify the Cabinet Members of the Charities Annual Accounts and the contents of the Annual Returns

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**Recommendation:**

- (1) That Cabinet approves the accounts and notes the contents of the Annual Return Forms for the Salter Collection Charity for the period 2013-16.
- (2) That the Cabinet approves the accounts and notes the contents of the Annual Return Forms for the Sir Ernest Bruce Charles Charity and the Charity of Frederick Franklin for a Public Park for the period 2014-17.

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## 1. Summary

Cabinet must approve the annual accounts for the charities of which the Council is trustee. Cabinet is also required to note the contents of the Annual Returns Forms which must be submitted to the Charity Commission each year to the Charity Commission each year. Accounts have been prepared annually and the Charity Commission returns have been submitted. However, due to an oversight, the accounts and Charity Commission returns were last approved on 4th November 2013 and so this report has been prepared in order to bring all approvals by the trustees up to date. The annexes therefore contain the accounts and Charity Commission returns for years ending 31 August 2013, 2014, 2015 and 2016.

## 2. Introduction and Background

2.1 It is a legal requirement that Trustee Detail Annual Return Forms are returned to the Charity Commission. This has already been done electronically. It is also a requirement that the information given in the forms has been or will be brought to the attention of all trustees. The Cabinet fulfils the role of the Charity Trustees in respect of those charities for which the Council is Trustee in its corporate capacity. This applies to the above named charities.

## 3. Identification of Options

3.1 Cabinet may approve or may not approve the Annual Accounts.

3.2 There are no options open to the Cabinet other than to note the information given in the Annual Returns.

3.3 **Cabinet is reminded that, in discharging functions in relation to charities the law requires Members to put aside their aspirations for the Council in a corporate sense and to act solely in the best interests of the Charity. The**

**Cabinet (acting as trustee) is required to act reasonably and prudently in all matters relating to the charity and to act with the same degree of care and skill as a prudent person or business would exercise in the management of his or her own affairs or those of someone else for whom they had responsibility.**

**4. Evaluation of Options**

4.1 The accounts and Annual Returns have been prepared by the Director of Finance Housing and Community. All documents are believed to be correct. In the exercise of their trustee role members of the Cabinet should satisfy themselves that this is the case.

**5. Resource Implications**

5.1 None.

**6. Corporate Implications**

6.1 Comment from the Section 151 Officer: Finance have been consulted and have no further comments to make. SG

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make. HR

6.3 Comment from the Equalities Officer: This report does not specifically highlight any equalities implications however, in discharging their responsibilities members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>. KM

**7. Appendices**

Appendix 1 – Salter Collection Accounts and Audit Commission Returns for the year ending August 2013, 14, 15, 16.

Appendix 2 - The Charity of Frederick Franklin Accounts and Audit Commission Returns for the year ending 31<sup>st</sup> March 2014, 15, 16.

Appendix 3 – Sir Ernest Bruce Charles Charity Accounts and Audit Commission Returns for the year ending 31<sup>st</sup> March 2014, 15, 16.

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