

SURREY COUNTY COUNCIL**CABINET MEMBER FOR SCHOOLS, SKILLS AND
EDUCATIONAL ACHIEVEMENT****DATE: 17 JANUARY 2016****LEAD OFFICER: GARATH SYMONDS, ASSISTANT DIRECTOR,
COMMISSIONING AND PREVENTION****SUBJECT: TULK TRUST FOR SCHOOL SPORTS FACILITIES****SUMMARY OF ISSUE:**

To decide on the use of the accumulated income from the Tulk Trust which is a registered charity for which the Cabinet of Surrey County Council is the trustee. The Cabinet Member is asked to determine which bids receive should be funded.

The Tulk Trust for School Sports Facilities (registered charity 312006) was set up in 1952 with a bequest of £10,000 from the will of Mr. J.A. Tulk to provide playing fields for secondary schools in Surrey. The sole trustee of this Trust is Surrey County Council. Approximately £180,000 of the Trust remains unallocated.

As of 20 September 2016 the object of the charity is 'to provide recreational facilities and advance education by providing or assisting in the provision or improvement of outdoor sports facilities (not including equipment) for maintained secondary schools and secondary academies in Surrey'.

RECOMMENDATIONS:

It is recommended that the Cabinet Member for Schools, Skills and Educational Achievement:

- i. decides who to distribute the remaining funds from the Tulk Trust from the 20 bids attached as Appendix 3 to this report.
- ii. allocates the remaining capital within the Tulk Trust to support the bidders thereby closing the Tulk Trust fund permanently.

REASON FOR RECOMMENDATIONS:

To distribute the accumulated Trusts of the Tulk Trust in accordance with Cabinet's responsibilities as sole trustee.

To spend the remaining capital within the Tulk Trust to close the trust permanently.

DETAILS:

1. The Tulk Trust is a registered charity. The Trust was originally set up in 1952, with a bequest of £10,000 from the will of Mr. J.A. Tulk, a chairman of governors for a Surrey school, and Chairman of the County Council from 1944-47, to provide playing fields for secondary schools in Surrey.
2. Awards for the Trust were last granted in October 2009. In April 2016, Cabinet agreed to request an alteration of the object of the charity in order to allow secondary academies to apply. The object of the charity is 'to provide recreational facilities and advance education by providing or assisting in the provision or improvement of outdoor sports facilities (not including equipment) for maintained secondary schools and secondary academies in Surrey'
3. The accumulated income amounts to £335,950. The Trust has an existing commitment to a project supporting changing facilities at Winston Churchill School of £157,000 for which funding has not yet been paid. Therefore, the residual uncommitted value of the Tulk bequest is £178,950. This includes the permanent endowment. The Council is currently seeking clarification with the Charity Commission on the intention to use the permanent endowment (currently valued at approx £16,000) essentially closing the Tulk Trust permanently.
4. In October 2016 the Council issued a request for bids to the Trust. Bidding schools were asked to complete an application form and to demonstrate how their bid meets or support the objectives of the Tulk Trust. Key criteria set were value for money, impact on supporting education and supporting areas of deprivation. Bids also had to be for physical sporting facilities not equipment.
5. This bidding window closed on 7 November 2016 and 20 bids were received. The value of the bids amounts to £673,778.
6. On 18 November, as part of the Council's commitment to the Children's Commissioners 'Takeover Day Challenge', nine young people reviewed the 20 bids received (results in Appendix 1). All bids were anonymised; therefore, students were unaware which schools were bidding. Officers and two youth workers were on hand to support the young people to assess the bids professionally and to ensure fairness. The bids were evaluated against the following criteria (plain English used for young people's benefits):
 1. Is this bid worth the amount of money being asked?
 2. Does the bid meet a need for sports facilities?
 3. Will it make a difference in supporting education or addressing deprivation?
 4. Can they complete the work within the next two years?
7. Criteria 3 included an assessment of how bids will support addressing deprivation. Officers recommend considering the percentage of free school meals as a consistent measure (see Appendix 2).
8. Officers recognise that the young peoples panel's awareness of deprivation was down to their personal experience as the data in Appendix 2 was not available to them.

9. If the full value of the Trust including the permanent endowment is awarded, then this will effectively wind up the Trust. Due to the relatively low remaining value of the Trust it is recommended that the full value of the Trust be awarded.

Reasons for the proposal

10. Cabinet agreed on 26 April to updating the object of the Tulk Trust and to offer this funding to schools (with secondary pupils) across Surrey. The bids recommended will improve outcomes for children, young people and communities and supports the articles of the Tulk Trust.

Planning and capital considerations

11. All bidding schools have been asked to ensure the funding is used within 48 months. If all the bids recommended are awarded, then the Council will spend the remaining endowment in full and the Trust will be permanently closed. The Council is still awaiting final confirmation from the Charity Commission to close the Trust permanently.

CONSULTATION:

12. The Council has consulted and received agreement from the Charity Commission to amend the objects of the Tulk Trust and they are considering the Council's request to spend the schemes capital to close the trust fund.
13. All schools with secondary phase pupils (Mainstream and SEND) were consulted and invited to submit bids for funding support.
14. Young people, through the Council's participation in the 'Takeover Challenge', have reviewed the bids received.

RISK MANAGEMENT AND IMPLICATIONS:

15. The schools will be required to manage their own projects and will be responsible for any cost over-run. They will be required to confirm that they will deliver over time the full project suggested in their bids. All these schools have experience of project managing significant projects and none of the projects would appear beyond their skills and experience. Therefore, there would be no risk to the County in these proposals.

Financial and Value for Money Implications

16. The Trust is invested in stock market funds, which will need to be sold in order to make grants from the Trust. The timing of the sale decision will affect the value realised and therefore the amount available for grant payments.
17. These proposal allows for sports facilities to be improved at no cost to public funds in schools where currently improvement is desirable. The competitive bidding process has ensured that those projects of greatest benefit are those which receive funding.
18. All bidders had to demonstrate that they could fully fund their proposals. Bidders are aware there is no further funding from the council or the Tulk Trust. Any overruns are to be met solely by the school.

Section 151 Officer Commentary

1. The successful bids will be funded from the Tulk Trust Fund. The Cabinet Member needs to be reassured that the rationale for choosing the successful bids is robust and equitable.

Legal Implications – Monitoring Officer

2. The County Council's Cabinet is the sole Trustee of this charity. Decisions on awarding funding from the Tulk Trust has been delegated to the Cabinet Member for Schools, Skills and Educational Achievement.

Equalities and Diversity

3. The proposal would mean that all secondary schools in Surrey would have the opportunity to benefit from the Tulk Trust. No group with any protected characteristics under Equalities legislation will be disadvantaged by this proposal. As a result, no Equalities Impact Assessment has been produced.
4. The Tulk funding is aimed at supporting schools in communities/catchment areas of higher than average deprivation to support improving outcomes for these children and young people.

Corporate Parenting/Looked After Children implications

5. This proposal would provide the potential for improvements to secondary school provision across Surrey which would be of benefit to the community served by the school. Therefore, this would also be of benefit to Looked After Children attending a Surrey school. The admission of Looked After Children is a priority within school admission arrangements.

Safeguarding responsibilities for vulnerable children and adults implications

6. Safeguarding vulnerable children is a high priority in Surrey. Schools have considerable expertise in safeguarding vulnerable children and adhere to robust procedures. Any school applying for Tulk funding would continue to apply good practice in the area of safeguarding. Safeguarding is monitored when Ofsted carries out inspections of schools.

Public Health implications

7. The provision of improved sporting facilities at any Surrey school will improve public health in the locality. The ability for community groups to use facilities provided by schools will also promote good public health and increase levels of activity by providing local and affordable access to high quality sporting facilities.

Climate change/carbon emissions implications

8. No significant implications

WHAT HAPPENS NEXT:

9. Successful schools will be informed of their school's success to secure funding from the Tulk Trust and Funding agreements will be circulated.
10. If/when the Charity Commission approve spending the full endowment this will be actioned and the Trust will be closed.

Contact Officer:

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Appendices:

Appendix 1 – Young People's Panel Bid Scores

Appendix 2 – Free School Meals Hierarchy Ranking

Appendix 3 – Bids received for The Tulk Trust for Outdoor Sports Facilities in order of Free School Meal ranking

Sources/ background papers

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