

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR SCHOOLS, SKILLS AND  
EDUCATIONAL ACHIEVEMENT****DATE: 11 APRIL 2017****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 Cabinet is the trustee..

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.

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'.

£157,000 of the Tulk Trust has already been committed to Winston Churchill School for sports facilities. Approximately £180,000 of the Trust remains unallocated.

Bids were invited from secondary schools (through the Schools Bulletin) for grants from the Trust. 20 bids were received from a wide range of secondary schools. The value of the bids amounts to £673,778. A list of the bids is attached as Appendix A.

All bids would meet the objectives of the charity and the bids were evaluated by young people, attending Surrey County Council as part of its 'Takeover Day'.

**RECOMMENDATIONS:**

It is recommended that the Cabinet Member for Schools, Skills and Educational Achievement approves the distribution of the accumulated income from the Tulk Trust as set out in point 6 of this paper.

**REASON FOR RECOMMENDATIONS:**

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

<b><u>DETAILS:</u></b>
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## **Background**

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, Chairman of governors at a Surrey school, 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 to the object of the charity in order to allow secondary academies to apply. 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'
3. The accumulated income amounts to £335,950. The Trust has a residual commitment to a project supporting sports changing facilities at Winston Churchill School of £157,000, for which Trusting 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 use of the permanent endowment.
4. In October 2016 issues a request for bids to the Trust. This bidding window closed on 7 November 2016 and 20 bids were received. The value of the bids amounts to £673,778.
5. On 18 November as part of the Council's 'Takeover Day', nine young people evaluated the bids. All bid 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 young people ran a detailed and professional process – equal to that of officers in the past. The bids were evaluated against the following criteria (plain English used for young peoples benefits):
  - Is this bid worth the amount of money being asked?
  - Does the bid meet a need for sports facilities?
  - Will it make a difference in supporting education or addressing deprivation?
  - Can they complete the work within the next two years
6. The highest scoring bids, as evaluated by young people, were:

Number	School	Amount (£)
8	Glyn School	£28,495
7	Glebelands School	£22,545
16	The Beacon School	£5,000
9	Heathside School	£12,800
19	Woking High School	£34,845
5	Farnham Heath End School	£63,230

7. It is recommended that the full amount bid for is awarded to the top 5/6 schools as listed.
8. 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. If the Council receives confirmation that the permanent endowment can be spent and if there are any remaining Trusts after the awards listed in (6), it is recommended that these Trusts are awarded to Fullbrook School whose bid came 7 in the young peoples' bid assessment process.

### **Reasons for the proposal**

9. Cabinet agreed on 26 April 2016 to updating the articles of the Tulk Trust and to offer this Trusting 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.
10. A robust process has been run with young people as part of the Council's commitment to the Children's Commissioners, Takeover Day Challenge. Young people scrutinised the bids received and through a scoring system the bids with the highest score are recommended for award.

### **Planning and capital considerations**

11. All bidding schools have been asked to ensure the Trusting 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. Prior to offering the Tulk Trust to schools to bid a six week consultation process was completed to gain the views of schools on the Council's proposed changes. These were all supported by the sector
13. Young people through the Children's Commissioners, Takeover Challenge were consulted on all the bids and agreed a shortlist.

### **RISK MANAGEMENT AND IMPLICATIONS:**

14. 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**

15. The Trust is invested in stock market Trusts, 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.

#### **Section 151 Officer Commentary**

16. 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.

#### **Legal Implications – Monitoring Officer**

17. The County Council is the sole Trustee of this charity.

#### **Equalities and Diversity**

18. The proposal would mean that all secondary schools in Surrey would have the opportunity to benefit from the Trust. No group with any protected characteristics under Equalities legislation will be disadvantaged by this proposal. As a result no Equalities Impact Assessment (EIA) has been produced. With secondary school provision being open to all applicants with the highest priority given to Looked After Children and pupils with Special Educational Needs, this proposal will support our most vulnerable children.

#### **Corporate Parenting/Looked After Children implications**

19. 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 any Looked After Children who have the opportunity of attending a school. The admission of Looked After Children is a priority within school admission arrangements.

#### **Safeguarding responsibilities for vulnerable children and adults implications**

20. 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 Trusting would continue to apply good practice in the area of safeguarding. Safeguarding is monitored when Ofsted carries out inspections of schools.

#### **Public Health implications**

21. The provision of improved sporting 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**

22. No significant implications

<b><u>WHAT HAPPENS NEXT:</u></b>
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- 23. Successful schools will be informed of their schools success to secure Trusts from the Tulk Trust and Trusting agreements will be circulated.
- 24. When the Charity Commission approved spending the full endowment this will be actioned and the Trust will be closed.

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**Contact Officer:**

Marcus Robinson – Commissioning Development Manager  
marcus.robinson@surreycc.gov.uk, 0208 541 9547

**Annexes:**

None

**Sources/ background:**

None

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