

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR COMMUNITY SAFETY****DATE: 15 MARCH 2013****LEAD OFFICER: SUSIE KEMP – ASSISTANT CHIEF EXECUTIVE****SUBJECT: ABBEY BARN TRUST****SUMMARY OF ISSUE:**

The Abbey Barn Trust is an inactive trust that is currently being held by the County Council. A request has been made to transfer the full amount of approximately £71,000 to be administered and managed by the Community Foundation for Surrey for the benefit of young people in Runnymede as originally intended.

The purpose of this report is to seek approval from the Cabinet Member for Community Safety to transfer the funds to Community Foundation for Surrey.

**RECOMMENDATIONS:**

It is recommended that:

1. That the Cabinet Member approves that Surrey County Council transfer the cash currently held by the council, plus the proceeds from the sale of investments in full to the Community Foundation for Surrey, so they are able to utilise the funds through the Runnymede Community Fund Panel and the young people of Runnymede are able to utilise the funds.

**REASON FOR RECOMMENDATIONS:**

The County Council is confident that the Community Foundation for Surrey is a very suitable vehicle to distribute long term funds in the form of grants to the young people in Runnymede. This will be with full involvement of local people, is in line with the intentions of the original trust and value for money as additional funds will be generated to support the bequest.

**DETAILS:****1. The Abbey Barn Trust:**

- 1.1 The Trust was set up in 1936 to promote the recreation and physical welfare of young people from 16 years. It was run by the Abbey Barn Club.
- 1.2 In 1952, the County Council was appointed sole trustee in place of the original trustees. The Trust's only asset was the barn, which was a 400 year old listed building and was used as premises for an open youth club.
- 1.3 In 1973, the Barn was considered to be surplus to requirements. The barn required a substantial amount of repair to put it into good condition, and so it was decided to sell the barn to another charity, The Acorn Children's Theatre Trust,

for £10,000. This was approved by the Charity Commissioners and the sale took place in May 1980.

- 1.4 The £10,000 was invested and produced an income and in 1984, it was decided that 50% of the income each year should be distributed for the purposes of providing or contributing to the provision of social or recreational facilities for young people in the borough of Runnymede. For some years the Local Committee did administer part of the funds for this purpose but more recently it has remained inactive.

## **2. Community Foundation for Surrey:**

- 2.1 The Community Foundation for Surrey (CFS) was established in 2005 and is an independent charitable trust raising the level of charitable donations for the benefit of the people of Surrey, connecting people who want to give with those in need. The Foundation currently manages and administers a significant amount of charitable funds that have been donated by individuals, families, companies and trusts. These funds support a programme of grant-making to communities across Surrey with over £2.8 million in grants being distributed over the last six years. In addition, the CFS has built up permanent community funds of £5 million from which the interest generated is used to award grants to community groups.
- 2.2 Since CFS's inception, the County Council has provided funding, has carried out annual monitoring and reviews, has full records of audited accounts, and has been updated on progress and quality accreditation achieved.
- 2.3 In 2010 the CFS passed the quality accreditation standards as set by the Charity Commission Standards for Community Foundations, at an exemplary level.

## **3. Proposal:**

- 3.1 It is proposed by the County Council that the funds are transferred to the CFS, who will match fund the amount and pay it in to the Runnymede Community Fund which supports local and community groups across the borough of Runnymede. The fund would be a restricted fund held in perpetuity by the Community Foundation.
- 3.2. The Abbey Barn monies would be ring fenced within the Runnymede Community Fund in order to support 'youth activity' in the area aligning it to the original objects of the trust. All decisions will be made by the local Runnymede Community Fund panel, which is best placed to know what the need is in the area.
- 3.3 The Abbey Barn monies are eligible to be matched under the Community First Programme funded by the Treasury. Based on a sum of approximately £71,000 a 5% contribution is made to the Community Foundation resulting in a total donation of £67,450. This is in line with all the Community Foundations in the UK who have set this amount to cover the cost of managing the 'Community First Programme'. The Community Foundation would then be able to draw match funds based on a 1:2 basis of an additional £33,725, resulting in total funds of £101,175, leaving a substantial permanent legacy to support young people in Runnymede.
- 3.4 To take advantage of the match funding it is critical that the funds are transferred to the CFS before the end of March 2013 otherwise this opportunity will be lost.

### 3.5 Some key advantages of progressing in this way will be:

- The proposal has the support of the Runnymede Community Fund, the Borough Council, local Members and the local Council for Voluntary Services;
- The money will be a substantial boost to the Runnymede Community Fund;
- There will be an opportunity to draw in other donations to the fund and build this up over time through other charitable donations;
- Grants will be given in perpetuity creating a significant legacy for Runnymede;
- Match funding is available from the Community Foundation through the 'Community First Programme' for money going in to the endowment fund ensuring the original legacy is enhanced and substantial funds are available for young people;
- Grant award decisions will be made at a local level;
- Monitoring of how the grants are being used and evaluating the difference they are making will be carried out by the CFS;
- Existing processes and structures are in place to manage and administer grants and the CFS is nationally accredited and recognised for best practice;
- Local community groups would have access to wider funds within CFS, as well as access to advice and support in making funding applications and
- Grants will be promoted and greater opportunities through connections created through the CFS contacts, Trustees, Ambassadors, events and general activities.

### **CONSULTATION:**

4.1 The proposal has been developed in consultation with and in partnership with Runnymede Community Fund panel, Borough Council officers, local Members, the local Council for Voluntary Services and Community Foundation for Surrey.

4.2 Officers from the Chief Executive's Office have spoken with all the aforementioned members and are confident this approach is most suitable and has been developed in partnership, with the intended beneficiaries at the heart of the proposal.

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

5. CFS is a recognised, respected and accredited organisation and has the relevant systems, processes and controls in place to distribute funds in the manner a donation is intended. Regular reports will be produced by CFS which will mitigate the risk of the bequest being used in any other way than it was originally intended and prevent any legal challenge against this.

### **Financial and Value for Money Implications**

6. By transferring the funds to the CFS the County Council can be certain of excellent value for money. The match funding will ensure will ensure 50% more funding is generated to the amount allocated to an endowment fund through the Community Foundation. The funds will also be available in perpetuity and the scope to advantage the intended beneficiaries will be much greater than the original bequest amount.

6.1 The CFS has existing processes in place to manage and distribute the funds and there would be no need to create a new process to distribute the funds.

### **Section 151 Officer Commentary**

7. The council holds approximately £39,200 of the Trust Fund in revenue cash, and the remaining £10,000 capital investment is valued at approximately £31,800. These investments would need to be sold prior to transfer to the Community Foundation and the value at sale will differ from the latest market valuation. Therefore the funds finally transferred to the Community Foundation will comprise of the revenue cash, plus the proceeds of the sale of the investments.

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

8. Advice was sought from the Charity Commission in 1984 on some outstanding legal issues and again in March 2013 to confirm the Trust can be transferred to the Community Foundation Surrey. This is acceptable provided the funds are used specifically for the social and recreational facilities for young people in the area of Runnymede. Funds have previously been transferred to Community Foundation for Surrey with the Charity Commission's support.
- 8.1 The Council may therefore at its discretion deal with the funds in a way that it determines best achieves the objects of the Trust and the Cabinet Member should satisfy herself that the proposals outlined in this report achieve this.

### **Equalities and Diversity**

9. The CFS adheres to an Equal Opportunity Policy and awards grants across all the protected category groups and is particularly supportive of vulnerable people of all ages.
- 9.1 The Abbey Barn Trust is to support the young people of Runnymede. This would potentially include young people in the protected categories, for e.g., young people with disabilities.

### **Other Implications:**

The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Public Health	No significant implications arising from this report
Climate change	No significant implications arising from this report
Carbon emissions	No significant implications arising from this report

<b><u>WHAT HAPPENS NEXT:</u></b>
----------------------------------

Officers from the Chief Executive's Office will write to the Community Foundation for Surrey to inform them of the decision and work with internal colleagues as necessary to transfer funds, if this is acceptable.

---

**Contact Officer:**

Susie Kemp, Assistant Chief Executive, Surrey County Council  
Tel: 020 8541 7043

**Consulted:**

Community Foundation for Surrey  
Runnymede Community Foundation  
Local Members  
Runnymede Borough Council  
Surrey County Council Youth Service/Legal Service and Finance Team  
Voluntary Services North Surrey

**Sources/background papers:**

Report to Land & Buildings Committee – April 1978  
FE Sub Committee Report & Minutes – July 1984  
Letter to Charity commission – March 1984  
Response from Charity Commission – June 1984

---

This page is intentionally left blank