



Northumberland

County Council

CASTLE MORPETH LOCAL AREA COUNCIL

10 OCTOBER 2022

STAKEFORD AND BOMARSUND SPORTS AND SOCIAL WELFARE CENTRE

Report of Neil Masson

Cabinet Member: Councillor Richard Wearmouth

Purpose of report

To appraise members of the nomination rights of the Council to the Stakeford and Bomarsund Sports and Social Welfare Centre (the Centre) and suggest nominations for members to consider.

Recommendations

To agree to the following appointments, in addition to the two County Councillor appointments:

Councillor Paul S Vaughan

Councillor Hilary Allsopp

Councillor Arthur Iley

Councillor Graham Huntley

Link to Corporate Plan

This report is relevant to the 'How' priority included in the NCC Corporate Plan 2021-2024 in that it enhances community engagement.

Key issues

- Under a Charitable Scheme set up in 2004 Wansbeck District Council could appoint seven individuals as trustees to the Stakeford and Bomarsund Sports and Social

Welfare Centre. The Functions of Wansbeck District Council have now transferred to Northumberland County Council upon local authority reorganisation.

- Northumberland County Council (the County Council) are currently only appointing two local members and the lack of trustees means it is difficult for the Centre to operate effectively.
- It is now proposed that the Council uses its rights under the Scheme to appoint four members of Choppington Parish Council (the Parish Council) to the Centre. There is nothing in the Scheme which prevents the County Council from using their powers of appointment to appoint non-County Councillors.
- Under the Scheme the appointments would be for a Term of four years

Background

1. The Centre is a registered charity governed by a scheme (the Scheme) approved by the Charity Commission by Order of the 1st April 2004.
2. Under the Scheme the object of the Centre, as a Charity, is *“the provision of a recreation ground and Social Welfare Centre for the benefit of the inhabitants (and in particular, but not exclusively, such of the said inhabitants as are members of the mining community) of the area of benefit without distinction of political, religious or other opinions with the object of improving the conditions of life for the said inhabitants.”*
3. The Scheme provides for 14 nominated trustees (along with 2 co-opted trustees). These are as follows:
 - 1 shall be appointed by the National Union of Mineworkers (North East Area)
 - 1 shall be appointed by the Coal Industry Social Welfare Organisation;
 - 7 shall be appointed by Wansbeck District Council
 - 5 shall be appointed at a meeting to be convened by the Secretary of the Charity on or about the nearest convenient date to the 1st April each year (or at any time in the case of casual vacancies), to be attended by one representative of each organisation affiliated to the charity. Subject to clause 12 herein, they shall hold office until the next meeting called under this provision, but may, if eligible, be reappointed.
4. The County Council has been appointing two trustees, being the local ward members for the area. This leaves five vacant posts.
5. The Centre has been experiencing problems with being able to operate effectively given the lack of trustees and have suggested that a solution to this problem would be for the Council to appoint four members of Choppington Parish Council to the Centre. The Parish Council have proposed the following nominations:

- Cllr Paul S Vaughan - Former Welfare trustee and Chair of the Parish Council
- Cllr Hilary Allsopp - Retired Nurse with experience of older persons and those suffering long term affects of traumatic head injuries
- Cllr Arthur Iley - Retired business owner and Choppington Parish Council Sports champion
- Cllr Graham Huntley – Extensive experience of work in the charitable sector including support for those with disability.

6. Although the Scheme provided for seven nominations from the former Wansbeck District Council, following Local Government reorganisation in 2009, there are fewer County Councillors who could be considered local to this Centre. The solution suggested would therefore provide for greater local involvement in the Centre. If members agree to the appointment of the nominations from Choppington Parish Council, the proposal is to approach the Charity Commission in order to amend the scheme to provide for Parish Council appointments at the expense of the County Council appointments that are not being exercised. The alternative would be for the Council to appoint to all seven vacancies.

7. The powers of the trustees, once appointed, are wide ranging and are as follows:

1. Powers of the trustees

In addition to any other powers which they have, the trustees may exercise the following powers in furtherance of the objects of the charity:

- (1) *Power to acquire or hire property and to maintain and equip it for use. (The property must be needed to further the object of the charity.)*
- (2) *Power to appoint staff and pay them reasonable remuneration, including pension provision for them and their dependants.*
- (3) *Power to insure against public liability and, if appropriate, employers' liability; and to insure the buildings of the charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant).*
- (4) *Power to delegate to any one or more of the trustees the transaction of any business or the performance of any act required to be transacted or performed in the execution of the trusts of the charity and which is within the professional or business competence of such trustee or trustees: Provided that the trustees shall exercise reasonable supervision over any trustee or trustees acting on their behalf under this provision and shall ensure that all their acts and proceedings are fully and promptly reported to them.*
- (5) *Power to raise funds. (The trustees must not undertake any*

permanent trading activity.)

- (6) Power to co-operate with other charities, voluntary bodies and statutory authorities. The trustees may exchange information and advice with them.*
- (7) Power, with the prior written approval of CISWO (such approval not to be unreasonably withheld), to make rules and regulations consistent with this scheme for the management of the charity.*

8. Members are recommended to agree with the proposals to appoint four members of Choppington Parish Council. These appointments will be trustees of the charity for a term of four years. If members are not agreeable to this proposal members are asked to appoint are asked to appoint a total of seven members as trustees of the Centre.

Implications

Policy	N/A
Finance and value for money	N/A
Legal	The scheme provides the legal framework for the Charity
Procurement	N/A
Human Resources	N/A
Property	The trustees are able to make decisions under the Scheme relating to property
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Compliance with the Equality Act 2010 has been considered in the preparation of this report
Risk Assessment	N/A
Crime & Disorder	N/A
Customer Consideration	N/A

Carbon reduction	N/A
Health and Wellbeing	N/A
Wards	Stakeford and Choppington

Background papers:

Scheme – by Order of the Charity Commissioners dated 1 April 2004

Report sign off.

Authors must ensure that officers and members have agreed the content of the report:

	Full Name of Officer
Monitoring Officer/Legal	Suki Binjal
Service Director Finance and Deputy Section 151 Officer	Alison Elsdon
Relevant Executive Director	N/A
Acting Deputy Chief Executive	Rob Murfin
Portfolio Holder(s)	Cllr Richard Wearmouth

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