

**REPORT TO THE MEETING OF THE EXECUTIVE 21 OCTOBER 2009**

**PORTFOLIO: OVERALL STRATEGY AND POLICY DIRECTION**

**REPORT FROM HEAD OF LEGAL AND TECHNICAL SERVICES**

**SUBJECT: FINCHFIELD BUNGALOWS – APPOINTMENT OF TRUSTEES**

**1 DECISION BEING RECOMMENDED**

- 1.1 To recommend to Council that the Chairman and Vice-Chairman of the Council be appointed as trustees of the Finchfield Trust.

**2 REASONS FOR RECOMMENDATION**

- 2.1 The bungalows are held subject to a charitable trust by the Council, and following the stock transfer, they have been managed under agreement with Rochford Housing Association.
- 2.2 Whilst ownership of the properties remains with the Council the Trust operates through a committee of four longstanding Trustees who are not associated with the Council and there has been little change of Trustees over the years since the trust was formed in 1954.
- 2.3 At the recent annual meeting, two of the Trustees who are quite elderly tendered their resignation and in considering how these vacancies might be filled the Committee felt that it would assist the Trust if these appointments could be made to Council Members.
- 2.4 It would certainly be of benefit to the Council to have more active involvement in the Trust, given its responsibility as freeholder and the support the Trust has required from the Council over the years.
- 2.5 It is recommended that any appointments are made by reference to positions such as the Chairman and Vice Chairman of the Council, for example, rather than individual Councillors. This will ensure continuity of office and facilitate administration similar to the trustee arrangements for the Dutch Cottage.

**3 OTHER SALIENT INFORMATION**

- 3.1 The trust has charitable status and is registered with the Charity Commission.

**4 RISK IMPLICATIONS**

- 4.1 The changes will need to be registered with the Charity Commission.

**5 LEGAL IMPLICATIONS**

- 5.1 New appointments will need to be made to replace the retiring trustees to enable the trust to operate and discharge its functions within the law.

I confirm that the above recommendation does not depart from Council policy and that appropriate consideration has been given to any budgetary and legal implications.

SMT Lead Officer Signature: \_\_\_\_\_

**Head of Legal and Technical Services**

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**Background Papers:** None.

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