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Ward (s) affected	Ashtead Common, Ashtead Park, Ashtead Village, Bookham North, Bookham South, Fetcham East, Fetcham West, Leatherhead North & Leatherhead South	Key Decision	Yes
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Subject	Thomas Flack Trust Fund Applications
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RECOMMENDATIONS

That the views of the Thomas Flack working group are taken into account and the grants outlined in **Section 3 Table 1** for the financial year 2013/14 are approved.

EXECUTIVE SUMMARY

Applications to the Thomas Flack Trust Fund are considered by the Thomas Flack Working Group. The group is made up of elected Members for wards in the North of the District who offer views on all applications. The Executive is then asked to decide on the awards to be made.

Six applications to the Thomas Flack Trust Fund were received by 30 Sept 2012 for funding in 2013/14. The Working Group assessed these applications and has considered their views on awards and refusals based on eligibility and projected outcomes.

CORPORATE PRIORITIES

The criteria for the Thomas Flack Trust Fund are set out in **Section 1** of this report. The Council is the trustee for the fund, and as such, funding is determined based on these criteria and not in relation to the Council's corporate priorities.

The Executive has the authority to determine the Recommendations

1 BACKGROUND AND PROCESS

- 1.1 The Strategy Committee of 21 June 2005 agreed that a Thomas Flack Working Group should be established with the following terms of reference:

‘To meet once per annum to consider the applications for funding from the Thomas Flack Fund and to advise the officers of the Working Group’s views on each application.’

- 1.2 The Council is the trustee of the Thomas Flack Trust Fund, which was established “for the general benefit of the people of the Leatherhead Urban District”. The estimated unallocated fund balance for 2013/14 is £76,760 before consideration of the applications in this report. A detailed summary of the account is attached at Appendix 1.

- 1.3 The Council’s guidance as trustee for applications to the Fund states that:

“The trust fund is only available for the general benefit of the inhabitants of Leatherhead, Ashted, Bookham and Fetcham. It is not available for the benefit of an individual.

When considering applications, the Council will in general give preference to:

- Capital projects that will provide permanent facilities for local people
- Initial revenue contributions to assist the start-up of new initiatives, provided that arrangements are in place for funding in future years which do not rely on grant aid from the Trust

There are no specific financial limits for grants from the Trust (within the total trust fund available). However, in order to achieve the maximum benefit from the Trust Fund, the following guidelines will generally be followed:-

(1) Unless there are special circumstances, grants will not be awarded to:

- Commercial operations
- applicants whose accounts show that they have ample resources to fund the project concerned

(2) The Trust will not normally be the sole funder unless there are special circumstances. Applicants for 100% grants will be required to identify those circumstances and what efforts they have made to obtain funding from other sources.”

2 THOMAS FLACK TRUST FUND GRANT APPLICATIONS 2012/13

2.1 Application from Leatherhead Revival Trust

Leatherhead Revival Trust is a charitable company, enabling and encouraging personal and community transformation. It operates the Leatherhead Theatre, which provides inclusive entertainment and educational activities. Managed by a voluntary Board of Trustees, CEO and nine full time equivalent paid staff, together with a number of volunteers.

Funding is requested to provide level access to the auditorium and space for wheelchair users at the front of the auditorium. Currently there is only access via a lift to the back of the auditorium. A further six wheelchair spaces will be created at the front of the auditorium with direct ground level access. This will enhance patrons' experience of the wide range of arts and entertainment events at the theatre,

Total Project Cost	£36,444
Fundraising to Date (secured)	£6,180
Fundraising to Date (unsecured)	£21,000
Total requested from Thomas Flack	£9,264

Members of the Working Group agreed that the application meets the Thomas Flack Trust Fund criteria and that the full amount of £9,264 should be awarded subject to the additional funding being secured and, if necessary, listed building approval being given.

2.2 Application from Friends of Teazle Wood

Friends of Teazle Wood is an unincorporated association currently converting to a charity with the name, 'Teazle Wood Charitable Trust'.

The organisation is currently managed by volunteers and it aims to secure, protect, manage and conserve the woodland known as Teazle Wood 59B, Leatherhead.

Funding is requested to repay interest free loans which were provided by two local residents in order to meet the deadline to secure the purchase of the woodland known as Teazle Wood 59B, Oxshott Road, Leatherhead, KT22 0EF.

A legal framework has been put in place which provides for the loans to be repaid by March 2013 with a possible extension to December 2013. In the event that these loans can not be repaid, a mortgage has been put in place which can be activated if necessary. If the balance can not be raised then the woodland will be sold and the money raised will be returned where possible to the original donator or otherwise given to a similar charity.

Securing the woodland in perpetuity would enable a number of aims to be realised which include:

- Education provision for local school children and adult learners.
- Improved public footpaths through managed green space in an area of deprivation.

- Community development by provision of a project with the potential to engage the whole community.
- The advancement of the arts, culture, heritage and science by provision of a resource rich in creative, social, archaeological, historical and ecological interest.

Total Project Cost	£135,721
Fundraising to Date (secured)	£53,220
Interest Free Loan	£82,501

Loan to be repaid by:

Business Sponsorship (by 31 Jan 2013)	£25,000
Fundraising from residential community	£17,501
Total requested from Thomas Flack	£40,000

Members of the Working Group agreed that this project has the potential of meeting the Thomas Flack Trust Fund criteria. However, after further consideration of the legal documentation and legal advice, it was agreed that as the financial viability of this project is uncertain, the money could not be safeguarded without additional expense and liability. Therefore, the view of the members of the Working Group was not to support this application.

There are concerns around how the Thomas Flack Trust Fund grant could be protected as it is not clear in whose name the land is held and on what terms. If the grant were to be protected the Council would need a charge to ensure it were repaid out of sale proceeds.

If security were taken / land purchased expert surveyors' advice would be needed, along with the legal advice and work, to ensure that the Trust complied with its statutory obligations in the exercise of its powers. If it were a joint owner this could bring with it liabilities and this would not be an advisable route. It is likely that the work required to enter into a charge (investigation of title and mortgage documentation) is outside what is envisaged by the Thomas Flack Trust Fund.

If the unsecured funding is not raised then there is no project effectively and all of the grant will have been wasted, unless repayment terms were entered into and the grant were protected. However the mechanism to protect the grant would be relatively time consuming and not what is usually done by the Fund. If it were an agreement that it be repaid and no protection mechanism was in place then there would be a risk it wouldn't be repaid.

The documentation showing who owns the land and the basis on which it is held for public benefit had not been completed. Work would need to be done to investigate this.

A survey is currently being carried out to see whether the land is safe for public access which would need to be resolved before a grant was advanced.

The Council would need to see that the new organisation was constituted before payment of a grant.

Therefore there are some substantial issues to be resolved before the Council as Trustee would wish to advance a grant. Resolution of these would involve quite a

lot of further work and another concern is whether other applicants are given as much consideration to resolve issues as it is important to apply the same process to all applicants.

2.3 Application from Bookham Residents' Association

Bookham Residents' Association (BRA) was founded in 1926 for the residents of Bookham and has over 3,000 households as members. BRA is managed by volunteers

Funding is requested for the purchase and installation of an electronic notice board in Bookham High Street. A recent Bookham Vision survey established that 67% of the population uses a local notice board for information. An electronic version would provide timely and attractive information to improve this method of village communication.

Total Project Cost	£6,360
Fundraising to Date (secured)	£500
Fundraising to Date (unsecured)	£1,860
Total requested from Thomas Flack	£3,500

Note: Members General Fund (unencumbered) = £7,450

The view of the members of the Working Group was that the application meets the Thomas Flack Trust Fund criteria and therefore should be supported with a contribution of £2,000, subject to the additional funding being secured.

2.4 Application from All Aloud! Community Choir

'All Aloud' is a new community choir based in north Leatherhead, run on a non-profit basis for everyone in and around Leatherhead, Ashted, Bookham and Fetcham areas and beyond.

A community steering group now runs the choir since its hand over from MVDC in spring 2012. It was originally set up by MVDC as part of 'Singing Surrey'. The choir meets weekly at Kings Croft Chapel, Leatherhead and it aims to give access to singing with no barriers, either musical or financial. There are no auditions, no experience is necessary and weekly subscriptions are low.

Funding is requested to:

- Sustain ongoing operating funds until membership increases and the choir becomes self-funding through subscriptions.
- Fund the community musician to run 'taster' workshops and attend concerts for recruitment opportunities.
- Produce branded t-shirts for recruitment events, design of posters and advertising in local media.

Total Project Cost	£4,575
Fundraising to Date (secured)	£0
Fundraising to Date (unsecured)	£510
Annual Subscriptions (based on 30 members)	£1,440
Total requested from Thomas Flack	£2,625

The view of the members of the Working Group was that the application meets the Thomas Flack Trust Fund criteria and therefore should be supported with the full amount, paid in two, six monthly instalments. The second payment only being made if the group can demonstrate that membership has increased during the first six month period.

2.5 Application from Leatherhead Drama Festival

Leatherhead Drama Festival is a volunteer-run competitive festival for amateur one-act plays presented by schools and drama groups, assessed by a professional adjudicator, to both entertain the public and to deliver the groups' skills in drama and social awareness. The plays will be presented to paying audiences at the Leatherhead Theatre in May 2013.

Funding is requested to purchase four (wooden) storage and transportation cases for the trophies, designed and produced by 'Fire and Iron', so that they are protected when taken away by the winning groups until they are returned for re-presentation the following year. The trophies are very heavy, yet delicate.

Total Project Cost	£1,000
Fundraising to Date	£0
Total requested from Thomas Flack	£1,000

The view of the members of the Working Group was that no grant be awarded to Leatherhead Drama Festival as this application did not meet the criteria of the Fund. This is because the purpose of the application is not for the 'general benefit' of the inhabitants of Leatherhead, Ashted, Bookham and Fetcham.

2.6 Application from The Sunnybank Trust

The Sunnybank Trust aims to enrich the lives of people with learning disabilities in the community through inclusion, friendship and justice.

Funding is requested for the SHOUT project (Students Having Options Understanding Transition) in 2013/14 to support 13 young people with learning disabilities who live in Ashted, Leatherhead, Bookham and Fetcham. This is an advocacy service tailored specifically for students, aged 16-19, who are leaving Woodlands special needs school in Leatherhead.

The service will ensure progress towards further learning or employability opportunities by discovering needs of users, identifying and sourcing suitable options, providing accompanied support for engagement and first contact, identifying and making preferences known.

Transition Advocate	£10,500
Training & Travel	£2,297
Equipment & Stationery	£1,150
Funding Development	£4,074
Management Costs	£4,255
Misc	<u>£2,204</u>
Total Project Cost	£24,480
Fundraising to Date (secured)	£12,750
Fundraising to date (unsecured)	£9,500
Total requested from Thomas Flack	£5,000

The view of the members of the Working Group was that no grant be awarded to The Sunnybank Trust as this application did not meet the criteria of the Fund as:

- 1) The application is for revenue funding.
- 2) It would be very difficult to ensure that the young people who benefit from this project are only those who are inhabitants of Leatherhead, Ashted, Bookham and Fetcham.

3 SUMMARY OF APPLICATIONS

Table 1

ORGANISATION	Grant Application for 2013/14 £	Working Group's Views Award/No Grant	TOTAL 2013/14 £
CAPITAL			
Leatherhead Revival Trust	9,264	9,264	
Friends of Teazle Wood	40,000	No Grant	
Bookham Residents' Association	3,500	2,000	11,264
START-UP			
All Aloud! Community Choir	2,625	2,625	2,625
REVENUE			
Leatherhead Drama Festival	1,000	No Grant	
The Sunnybank Trust	5,000	No Grant	
GRAND TOTAL			£13,889
Projected Balance Available for 2013/14			76,760
<p>It should be noted that an application from Ashted Community Vision was received after the closing date of 30th September 2011. It was the view of the working group that the application could not be considered for 2013/14 in order to remain consistent with previous years; therefore it has not been included in this report. This has been discussed with the applicant and they will most likely apply next year. In the meantime, Planning Policy has offered support for small, ad-hoc commitments.</p>			

4 CORPORATE IMPLICATIONS

4.1 Legal Implications

The Council, as trustee of the Trust Fund, is under a duty to administer it strictly in accordance with the terms of the Trust. This duty is fulfilled by making awards from the Fund where applications are for the general benefit of the people of Leatherhead, Ashted, Bookham and Fetcham, and by rejecting applications which do not qualify.

There are no financial limits to the number of awards or the amount of grant awarded.

In order to secure the maximum benefit from the Trust Fund, it is considered legitimate to apply the Council's guidance set out in section 1.3 of this report.

4.2 Financial & Risk Implications

The estimated balance in the fund at 31 March 2013 is £76,760 before consideration of the applications in this report.

Considering the views of the Thomas Flack Working Group, the available balance will reduce to £62,871 after payment of the grants detailed in this report. The trust fund is also subject to a yearly income from rents at an average £30,290 and interest at an average £688, based on the previous three years' income.

Attached at Appendix 1 is an analysis of the fund's actual income and expenditure for 2011/12 and projected income and expenditure for 2012/13. Appendix 2 contains an analysis of the fund's accounts for the last five years.

4.3 Equalities Implications

The Thomas Flack Trust Fund guidance sets out eligibility criteria clearly for all potential applicants.

The guidance also details the review and assessment process carried out on all applications.

4.4 Employment Issues

Not applicable.

4.5 Sustainability Issues

Not applicable.

4.6 Consultation

The Thomas Flack Working Group took place on 18th October 2012 and the views of the Working Group Members are included in this report.

5 BACKGROUND PAPERS

Thomas Flack Trust Fund grant application forms:

- Leatherhead Revival Trust
- Friends of Teazle Wood
- Bookham Residents' Association
- All Aloud! Community Choir
- Leatherhead Drama Festival
- The Sunnybank Trust

Thomas Flack Working Group Agenda

Thomas Flack Working Group Report

Thomas Flack Working Group Minutes

APPENDIX 1

Thomas Flack Fund - Projections

Properties held by MVDC as trustee of the Thomas Flack Fund

- 255 Guildford Road, Effingham
- Post Office Stores, Forest Road, Effingham Junction
- 95 Kingston Road, Leatherhead

2012/13 Projections

Actual balance of Thomas Flack fund 1.4.12		94,134
Interest on fund	450	
Insurances recharges	450	
<u>Rent income</u>		
255 Guildford Road, Effingham	14,000	
Post Office Stores, Forest Rd, Effingham Junction	9,660	
95 Kingston road	6,630	
		31,190
The Grange Centre	10,000	
Bookham Community Centre	8,000	
South Bookham Youth and Community Association	16,114	
Age Concern Mole Valley	2,000	
Bookham Tennis Club	7,000	
Liquid Connection	3,500	
Freewheelers Theatre Company	1,950	
		48,564
Projected closing balance of Thomas Flack fund 31.3.13		<u><u>76,760</u></u>

APPENDIX 2

Thomas Flack Trust Income and Expenditure over 5 years

	2007/08 Actual £	2008/09 Actual £	2009/10 Actual £	2010/11 Actual £	2011/12 Actual £
Fund Balance 1 April	204,365	228,007	181,043	170,062	126,467
Add : Income					
Rents	30,408	29,510	30,290	30,290	30,290
Sale cannons					
Interest on Balances	11,674	7,331	859	690	517
Insurance Recharged	334	347	355	427	429
TOTAL INCOME	42,416	37,188	31,504	31,407	31,236
Less : Expenditure					
1st Ashtead Scout group	5,688				
Arts Alive Festival					10,000
Ashtead Churches Community Trust			10,000	5,000	5,000
Ashtead Peace Memorial Hall				30,000	
Ashtead Recreation Campaign			1,500		
Ashtead Village Traders		959			
Ashtead Skate Park Partnership		10,000			
Ashtead Tennis Players Club		3,205	9,295		
Bookham Scout Group		20,000	5,437		
Bookham Youth & Community Association Ltd		7,186		5,127	
South Bookham Youth and Community Association					25,000
Bookham Residents Association		4,500			
Bookham Vision				2,500	
Freewheelers Theatre Company		1,288	692		
The Grange Centre		10,000			
Leatherhead & Dorking Gymnastics Club		24,726			
Leatherhead Cricket Club					10,000
Leatherhead Drama Festival					3,100
Leatherhead Revival Trust			12,117	335	
Leatherhead Horticultural Society				586	
Leatherhead Tennis club				18,400	
Leatherhead Youth Project Ltd			2,800	3,200	
Liquid Connection				5,960	
Little Bookham Village Hall	12,678	1,975			
Pitstop, Leatherhead			129	1,241	
Seeability				2,000	
St Andrews Schools Parkour club				276	10,086
Other Misc Expenses			149		
Insurance	408	313	366	377	382
TOTAL EXPENDITURE	18,774	84,152	42,485	75,002	63,568
Fund Balance 31 March	228,007	181,043	170,062	126,467	94,135

