



Report of the Assistant Chief Executive (Corporate Governance) & the Director of Resources

Member Management Committee

Date: 18th November 2008

Subject: Appointment of New Trustees to the Archbishop Margetson Trust Fund

Electoral Wards Affected: All

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In

(Details contained in the report)

EXECUTIVE SUMMARY

The Archbishop Margetson Education Trust Fund, administered by Leeds City Council, has a long, rich history dating back to 1678 when James Margetson, the Archbishop of Armagh made provision in his will to provide ongoing support to the Free School he had established in Drighlington. Under its present guise, the revenue from this small Fund is intended to provide financial assistance to needy secondary and higher education students in Drighlington. The Fund presently stands at £2.5k . This Fund has become dormant in recent years and has not made an award since 1999/00. Although the Fund is currently held by the Council, the Trust Scheme provides for the appointment by the Council of Trustees upon the nomination of the Councillors elected for Morley North Ward, that includes Drighlington, and the appointment of one representative Trustee by the Council as Education Authority.

There is a strong desire from members of Drighlington Parish Council to take stewardship of the Fund along with other representatives of the local community and thus give the Fund fresh impetus and enable it to more effectively fulfil its intended purpose.

Members of the Member Management Committee at this meeting are requested to determine whether the appointment of new trustees to the Archbishop Margetson Trust Fund is a matter that ought to be considered by this Management Committee or whether the issue ought to be referred to the appropriate Area Committee.

The prospective new trustees comprise three representatives of Drighlington Parish Council and one representative of Drighlington Primary School as nominated by Councillors Robert Finnigan, Bob Gettings and Thomas Leadley and one representative of Leeds City Council.

1.0 PURPOSE OF THIS REPORT

The purpose of this report is to seek either Members' approval of the appointment of a new group of trustees (drawing on representatives of Drighlington Parish Council and Drighlington Primary school with Leeds City Council being represented by a local ward member) or referral of the matter to the appropriate Area Committee.

2.0 BACKGROUND INFORMATION

- 2.1 The Archbishop Margetson educational trust fund has a long history with its origins dating from 1678 when James Margetson, the Archbishop of Armagh, made provision in his will for the ongoing support of the Free School that he had built in Drighlington. The original school reportedly became one of some considerable repute and was well-attended by both free scholars and other boys from outside Drighlington. The pupils were instructed in reading, writing and arithmetic with the option of being taught Latin if desired. However, the fortunes of the school and the charity that supported it waxed and waned over the years. The governance of the modern Archbishop Margetson Trust Fund is rooted in a Charity Scheme of 1872 but altered by further schemes of 1904 and 1937. Upon Local Government reorganisation in 1974, Leeds City Council succeeded to the functions of the Borough and Urban District Councils and other defunct authorities. As a result, the Archbishop Margetson Trust Fund came under the remit of Leeds City Council.
- 2.2 The purpose of the modern form of this trust fund is to support students requiring financial assistance where the students are attending publicly maintained secondary schools, colleges of further or higher education or universities. The student must have attended Drighlington primary school for at least three years and their parent(s) must be resident in Drighlington.
- 2.3 The trust fund has been dormant for quite some time and, as mentioned, has not made any awards for several years. This Fund was not nominated for transfer to the new City of Leeds Fund along with other dormant trust funds administered by the Authority as there was a strong local desire expressed to become involved in and take responsibility for this particular fund. There is an anticipation that local stewardship of the Fund would revive and revitalise it and enable it to make a small but valuable contribution to the Council's narrowing the gap agenda within the Drighlington locality.

3.0 MAIN ISSUES

- 3.1 The Fund is intended to give financial assistance to needy secondary and further education students in the Drighlington area but the Fund under its current governance has effectively been dormant for a number of years and has not made an award since 1999/00. Members of the Drighlington Parish Council are keen to become involved and take responsibility for the Fund in conjunction with other representatives of the community. Such local involvement in the running of the Fund could give it a fresh lease of life with suitable candidates potentially being identified for support by the Fund and possibly steps being taken to attract fresh resources to

the Fund. Any renewal of activity by the Fund may make a small but valuable contribution to narrowing the gap in the locality of Drighlington. The Fund would clearly benefit from such community involvement .

4.0 IMPLICATIONS FOR COUNCIL POLICY AND GOVERNANCE

- 4.1 It is hoped that appointment of the new team of trustees who would be representatives of the local community would reactivate this trust fund and enable it to continue fulfilling its intended purpose of delivering financial assistance to students in need in the Drighlington locality and thus in its small way help narrow the gap in this particular community.

5.0 LEGAL AND RESOURCE IMPLICATIONS

- 5.1 The governance of the modern form of this trust fund is framed by a Charity Scheme of 1872. but altered by further schemes of 1904 and 1937. Since Local Government reorganisation in 1974, the Fund has come under the remit of Leeds City Council. In 1993, the Education Committee of the Council agreed to appoint members of the Education Awards Panel as Trustees for the various Education Trust Funds administered by the Education department, as then was, including the Archbishop Margetson's School Trust. The Awards Panel last met in 1999 and, subsequently, the Committee structure and governance of the Council was reorganised and streamlined. Following the reorganisation of the Education function in 2001 and the formation of Education Leeds, responsibility for the administration of the Education Trust Funds was transferred to the corporate finance function with the Chief Learning Officer became the acting trustee for most of these Education Trust Funds. The latest legal advice in consultation with the Charity Commission is that in the case of the Archbishop Margetson fund, the main tenets of the 1872 scheme as altered in 1904 and 1937 still apply.
- 5.2 The original desire of the Drighlington Parish Council was for the trust fund to be transferred from the remit of the City Council to that of the Parish Council. However, following discussions with the Charity Commission, it was agreed that the most straight-forward way of establishing local control of the trust fund would be to reinvigorate it through the appointment of representatives of the local community, including parish councillors, as trustees. The trust's charity scheme as it currently stands requires a board of seven trustees but there is a consensus that a smaller grouping would be more practical, especially given the modest sums at the trust's disposal. The intention is to appoint five new trustees and the Charity Commission has confirmed that it would be receptive to the new team of trustees making an approach once appointed to have the Trust's charity scheme formally altered to reduce the desired number of trustees down to five.
- 5.3 Responsibility for the treasurer role and administrative support of the trust fund will remain with Leeds City Council and will continue to be delivered within the Authority's Financial Management function.
- 5.4 As mentioned, the resources of the Trust Fund are only modest and will continue to be held and accounted for by Leeds City Council. As the close of financial year 2007/08, the Fund's assets amounted to £2.5k, with annual income in the region of £100. The new Board of Trustees may seek to grow the Trust Fund by seeking new donations and initiating some fund-raising.

5.5 With regard to appointments to outside bodies, broadly the nature of the relationship with that body will determine where appointments ought to be decided within the Council's democratic structure. If the relationship with the outside body, in this case this particular trust fund, is assessed to be a strategic and key partnership, i.e. participation in it contributes to the Council's strategic objectives and community leadership role, then the appointing body ought to be the Member Management Committee. However if the relationship is seen to be a matter of community and local engagement, i.e. it is not necessary to fulfil a strategic or key partnership role but is, nonetheless, beneficial in terms of leading, engaging and supporting the community from an area or ward perspective, then the appropriate appointing body would be the relevant Area Committee.

6.0 RECOMMENDATIONS

Members of the Member Management Committee are requested to

- Determine whether the issue of the appointment of new trustees to the Archbishop Margetson Trust Fund is a strategic and key partnership issue and therefore ought to be decided by this Committee.
- If indeed this is a matter to be decided by this Committee, its Members are asked to approve the appointment of five new trustees to the Archbishop Margetson Trust Fund. These trustees are to comprise four representatives nominated by the Councillors elected for the Drighlington area, i.e Councillors Robert Finnigan, Bob Gettings and Thomas Leadley of Morley North Ward and one representative of Leeds City Council.
- The nominations of Councillors Finnigan, Gettings and Leadley are Councillors Arthur Thornton, Janet Scholes and Mike Rhodes from Drighlington Parish Council and a representative of Drighlington Primary School, initially to be the Head Teacher, Sue Jackson. The appointments are for a period of three years..
- The Council representative initially to be Councillor Bob Gettings, member for Morley North ward. The appointment to be for a term ending on the date of the appointment of his successor any time after the ordinary day of retirement as Councillor.
- If this matter is considered by the Member Management Committee to be more a community and local engagement matter rather than a strategic issue, then Members are asked to refer the matter to the appropriate Area Committee.

Background Papers

Archbishop Margetson Trust Scheme details (available from the Charity Commission)
Appointment to Outside Bodies Procedure Rules