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Monday, 28 October 2024

To All Councillors:

As a Member or Substitute of the **Ernest Bailey Charity Committee**, please treat this as your summons to attend a meeting on **Tuesday, 5 November 2024 at 6.00 pm** in the **Council Chamber, Town Hall, Matlock, DE4 3NN**

Yours sincerely,

Helen Mitchell
Director of Corporate and Customer Services

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AGENDA

1. APOLOGIES FOR ABSENCE

Please advise the Democratic Services Team on 01629 761133 or email committee@derbyshire.gov.uk of any apologies for absence.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING (Pages 3 - 8)

14 March 2024

3. INTERESTS

Members are required to declare the existence and nature of any interests they may have in subsequent agenda items in accordance with the District Council’s Code of Conduct.

Those interests are matters that relate to money or that which can be valued in money, affecting the Member, their partner, extended family and close friends. Interests that become apparent at a later stage in the proceedings may be declared at the time.

4. STATEMENT OF FINANCIAL POSITION (Pages 9 - 14)

This report sets out the financial position of the Charity as at the end of the 2023/24 financial year and provides estimates for 2024/25.

The report also seeks approval for changes in the arrangements for banking and investments in respect of the Charity's funds.

5. EXCLUSION OF PUBLIC AND PRESS

At this point the Committee will consider excluding the public and press from the meeting in order to consider the exempt information contained within Item 6, Appendix 1b for the reasons shown in italics.

(The following information is exempt as it contains information relating to individuals and it is deemed that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.)

6. DISTRIBUTION OF CHARITABLE FUNDS (Pages 15 - 24)

This report considers applications for grant aid.

Members of the Committee - Councillors Matt Buckler, Martin Burfoot, Sue Burfoot, David Burton, Steve Flitter, Marilyn Franks, Susan Hobson, David Hughes, Joanne Linthwaite, Roger Shelley, Steve Wain and Nick Whitehead

NOTE

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committee@derbyshiredales.gov.uk

Ernest Bailey Charity Committee

Minutes of a Ernest Bailey Charity Committee meeting held at 6.00 pm on Thursday, 14th March, 2024 in the Council Chamber, Town Hall, Matlock, DE4 3NN.

PRESENT Councillor Joanne Linthwaite - In the Chair

Councillors: Matt Buckler, Martin Burfoot, Sue Burfoot, Marilyn Franks, Susan Hobson, David Hughes, Joanne Linthwaite, Roger Shelley, Steve Wain and Nick Whitehead

Lucy Harrison (Democratic Services Assistant), Karen Henriksen (Director of Resources) and Emma Mortimer (Community Development Officer)

Note:

“Opinions expressed or statements made by individual persons during the public participation part of a Council or committee meeting are not the opinions or statements of Derbyshire Dales District Council. These comments are made by individuals who have exercised the provisions of the Council’s Constitution to address a specific meeting. The Council therefore accepts no liability for any defamatory remarks that are made during a meeting that are replicated on this document.”

APOLOGIES

Apologies for absence were received from Councillor(s): David Burton and Steve Flitter

370/23 - APPROVAL OF MINUTES OF PREVIOUS MEETING

It was moved by Councillor Nick Whitehead, seconded by Councillor Marilyn Franks and

RESOLVED

That the minutes of the meeting of the Ernest Bailey Charity Committee held on 28 11 2023 be approved as a correct record.

Voting

07 For

00 Against

03 Abstentions

The Chair declared the motion **CARRIED**.

371/23 - INTERESTS

Item 5 - Distribution of Charitable Funds

Councillor Marilyn Frank declared an interest in Item 5 Application 11/24 Darley Dale Local Resident.

Councillor Joanne Linthwaite declared an interest in Item 5 Application 4/24 St Joseph CE Primary School PTA.

372/23 - DISTRIBUTION OF CHARITABLE FUNDS

The usual practice was to consider current grant application from with the current year's interest receipts, estimated at £7,812.52 for 2023/24. The November Committee awarded grants totalling £5,810, which left £2002.52 unspent. It was noted that the Committee could award grants totalling £2002.52 plus up to £2,124.45 and still retain an investment of £167,192.50.

The Committee considered a total of 13 applications for grant funding.

It was moved by Councillor David Hughes, seconded by Councillor Joanne Linthwaite and

RESOLVED (unanimously)

1. That consideration is given to the applications for grant aid as set out in the attached schedules.
2. That grants be made conditional upon their being used for the purpose for which the application was made and in accordance with the objects of the Trust.

The Chair declared the motion **CARRIED**.

It was then moved by Councillor Steve Wain, seconded by Councillor David Hughes and

RESOLVED (unanimously)

That the Community Development Officer uses their discretion to request evidence of spend, in the form of invoices, receipts and evaluation forms in order to ensure there is no barrier to people applying for grant aid.

The Chair declared the motion **CARRIED**.

APPLICATION NO 11/24 – Local Resident

It was moved by Councillor Marilyn Franks, seconded by Councillor Martin Burfoot and

RESOLVED (unanimously)

That the applicant is aided in applying for a Disabled Facilities Grant for the works to be carried out in their garden. If this application is unsuccessful or does not cover the total cost of works, then the committee will reconvene to consider the application again.

The Chair declared the motion **CARRIED**.

APPLICATION NO 12/24 – Local Resident

It was moved by Councillor Matt Buckler, seconded by Councillor David Hughes and

RESOLVED (unanimously)

That a grant of £544 be awarded to a resident to pay for a orthopaedic mattress and paint to decorate a child's bedroom.

The Chair declared the motion **CARRIED**.

APPLICATION NO 13/24 – Local Resident

It was moved by Councillor Joanne Linthwaite, seconded by Councillor Steve Wain and

RESOLVED (unanimously)

That a grant of £199 be awarded to a resident to pay for a tablet to help with education.

The Chair declared the motion **CARRIED**.

APPLICATIONS 1/24, 2/24, 5/24, 8/24, 9/24 and 10/24

It was moved by Councillor Roger Shelley, seconded by Councillor Nick Whitehead and

RESOLVED (unanimously)

APPLICATION NO 1/24 - Darley Dale Scouts

That a grant of £134 be awarded for the purchase of a sail to provide shelter from the elements so the scouts can use the newly created outdoor space.

APPLICATION NO 2/24 – River Network

That a grant of £50 be awarded for the training of Staff and volunteers for a new housing project.

APPLICATION NO 5/24 – Darley Dale Community Volunteers Group

That a grant of £150 be awarded for the purchase of tools to carry out improvements in the areas.

APPLICATION NO 8/24 – Cromford Institute

That a grant of £120 be awarded to inspect drains to check they are functional before a disabled toilet is installed.

APPLICATION NO 9/24 – Matlock Water Polo Club

That a grant of £100 be awarded for new equipment for new junior members.

APPLICATION NO 10/24 – Cromford Preschool

That a grant of £75 for fund towards the theatre trip for the older preschool children.

The Chair declared the motion **CARRIED**.

APPLICATION NO 3/24 – South Darley Parish Council

It was moved by Councillor Nick Whitehead, seconded by Councillor Steve Wain and

RESOLVED (unanimously)

That a grant of £400 be awarded for the purchase of a defibrillator and cabinet.

The Chair declared the motion **CARRIED**.

APPLICATION NO 4/24 – St Joseph CE Primary School PTA

Councillor Joanne Linthwaite left the meeting during consideration of this item due to previously declaring an interest.

It was moved by Councillor Steve Wain, seconded by Councillor Martin Burfoot and

RESOLVED

That a grant of £500 be awarded to purchase plates and bowls to eat free breakfast off (free breakfast provided by charity Magic Breakfast).

Voting

08 For

00 Against

01 Abstentions

The Chair declared the motion **CARRIED**.

APPLICATION 6/24 – Matlock Town FC Junior Girls

It was moved by Councillor David Hughes, seconded by Councillor Steve Wain and

RESOLVED (unanimously)

That a grant of £400 be awarded to aid the purchase of a new kit and warm coats.

The Chair declared the motion **CARRIED**.

APPLICATION 7/24 – Tai Chi Matlock

It was moved by Councillor Steve Wain, seconded by Councillor Matt Buckler and

RESOLVED (unanimously)

That a grant of £450 be awarded to help pay for Tai Chi lessons for those with mental, physical difficulties and the lonely, isolated, and disadvantaged.

The Chair declared the motion **CARRIED**.

Meeting Closed: 6.46 pm

Chair

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Agenda Item 4



OPEN REPORT ERNEST BAILEY CHARITY COMMITTEE

Ernest Bailey Charity Committee – 5 November 2024

STATEMENT OF FINANCIAL POSITION AND ARRANGEMENTS FOR BANKING AND INVESTMENTS

Report of the Director of Resources

Report Author and Contact Details

Karen Henriksen, Director of Resources
01629 761284 or karen.henriksen@derbyshiredales.gov.uk

Wards Affected

Matlock East & Tansley, Matlock West, Cromford & Matlock Bath, Darley Dale, Chatsworth, Bonsall & Winster

Report Summary

This report sets out the financial position of the Charity as at the end of the 2023/24 financial year and provides estimates for 2024/25.

The report also seeks approval for changes in the arrangements for banking and investments in respect of the Charity's funds.

Recommendations

1. That the financial statement for the 2023/24 financial year be received and the forecasts for 2024/25 be noted.
2. That approval be given to the Director of Resources to open a separate bank account as the Ernest Bailey Charity current account with the Council's main banker (currently Lloyds), with signatories being the same as for the Council's main bank account i.e. the Director of Resources, the Director of Governance & Corporate Services and the Financial Services Manager and, in addition, the Principal Accountant.
3. That the Charity's investments (currently £167,192.50) continue to be invested with Derbyshire Dales District but that this be at Debt Management Office (DMO) interest rates from 1st April 2025, with reviews of rates and balances on 1st April and 1st October each year.

List of Appendices

None

Background Papers

None

Consideration of report by Council or other committee

Not applicable

Council Approval Required

No

Exempt from Press or Public

No

Ernest Bailey Charity: Statement of Financial Position

1. Financial Statement

- 1.1 The tables below detail the various financial transactions for 2023/24 and estimates for 2024/25. The charity holds land, but the value of that land is not included in the figures in this report. The Charity's annual accounts must be submitted to the Charity Commissioners within ten months of the financial year end.

Table 1: Ernest Bailey Charity: Actual income and expenditure for 2023/24

	Capital £	Revenue £	Total £
Balance brought forward 1 April 2023	-134,268.50	-35,048.45	-169,316.95
Interest & Donations received in year	0	-7,812.52	-7,812.52
Grant payments	0	8,932.00	8,932.00
Balance carried forward 31 March 2024	-134,268.50	-33,928.97	-168,197.47

Table 2: Ernest Bailey Charity: Estimated income and expenditure for 2024/25

	Capital £	Revenue £	Total £
Balance brought forward 1 April 2024	-134,268.50	-33,928.97	-168,197.47
Interest receivable in year		-8,090.33	-8,090.33
Provision for grant payments*		8,090.33	8,090.33
Balance carried forward 31 March 2024	-134,268.50	-33,928.97	-168,197.47

*Table 2 above assumes that the amount available for distribution is £8,090.33 being equal to the estimated interest receivable in the year. The usual practice is to consider current grant applications from within the current year's interest receipts, estimated at £8,090.33 for 2024/25. Should the Committee decide to award grants totalling more than this level, the result would be a reduction in the amount available for distribution in the future. The Charity currently holds funds of £168,197.47, of which £167,192.50 (made up of £150,000 capital grant and £17,912.50 net proceeds from the sale of land at Pope Carr Road) is invested. This leaves a working balance of £1,004.97. The Committee could award grants up to the value of £9,095.30 (the sum of the working balance and the interest earned in 2024/25), without affecting the amount invested.

Any grants awarded over the forecast will reduce the balance carried forward.

Table 3 : Maintenance Provision 2024/25 (part of the sum invested)

	£
Balance brought forward 1 April 2024	3,600.00
Provision in year	0.00
Balance carried forward 31 March 2025	3,600.00

2. Arrangements for banking and investments

2.1 During the external audit of the Council's accounts for 2022/23, the external auditor noted that the Council did not have a separate bank account for the Ernest Bailey Charity. In the External Auditor's "Audit Completion Report" published in January 2024, it was recommended that:

"The Council should encourage the Ernest Bailey Trust to establish its own bank account".

2.2 Officers have since reviewed the arrangements for the banking and investment arrangements for the charity. The aim is to make to bring more independence to the Charity's finances, whilst avoiding the arrangements becoming an administrative burden.

2.3 It is proposed that:

(1) A new account be established with the Council's main banker (currently Lloyds) as the Ernest Bailey Charity current account, with signatories being the same as for the Council's main bank account i.e. the Director of Resources, the Director of Governance & Corporate Services and the Financial Services Manager and, in addition, the Principal Accountant.

(2) That the Charity's investments (currently £167,192.50) continue to be invested with Derbyshire Dales District but that this be at Debt Management Office (DMO) interest rates (for 6 months' notice) from 1st April 2025, with reviews of rates and balances on 1st April and 1st October each year.

3. Consultation

3.1 Not applicable

4. Timetable for Implementation

4.1 Not applicable

5. Policy Implications

6.1 Not applicable.

6. Financial and Resource Implications

6.1 The Charity currently holds funds of £168,197.47, of which £167,192.50 (made up of £150,000 capital grant and £17,912.50 net proceeds from the sale of land at Pope Carr Road) is invested and earns interest. This leaves a working balance of £1,004.97.

6.2 The Charity has £167,192.50 invested with Derbyshire Dales District Council and for 2023/24 interest was earned at an average rate of 4.67%, earning £7,812.52. For 2024/25 the following interest rates have been applied:-

5.08% from 1st April 2024 to 30th September 2024.

4.65% from 1st October 2024 to 31st March 2025.

This generates interest of £8,090.33.

6.3 The usual practice is to award grants up to the value of the interest earned for the year, estimated at £8,090.33 for 2024/25. Should the Committee decide to award grants totalling more than this level, the result would be a reduction in the amount available for distribution in the future. The Committee could award grants up to the value of £9,095.30 (the sum of the working balance and the interest earned in 2024/25), without affecting the amount invested. It would, of course, reduce the amount in the working balance.

6.4 The charity holds land, but its value is not included in the figures in this report.

6.5 The proposed banking and investment arrangements will meet the requirements of the external auditor's recommendation and will improve transparency, without becoming an administrative burden.

6.6 As sole Trustee, the Council is under an obligation to look after the assets of the Charity with the same care as it would do its own money. The actual and estimated income and expenditure and the proposed arrangements for banking and investments set out in the report show a proper and prudent management of the Charity's assets.

6.7 The financial risk of this report's recommendations is assessed as low.

7. Legal Advice and Implications

7.1 The District Council became the sole Trustees of the Ernest Bailey Charity following approval by the Charity Commissioners on 12th April 1985. This function was later delegated to the Ernest Bailey Charity Committee.

7.2 The Trustees have a legal duty to protect the charities assets and apply them for the charity's charitable purposes. This report updates the trustees of the assets available and the amount available for distribution. It is not making decisions on how to distribute the funds.

7.3 There are 3 recommendations at the beginning of this report and if the decisions are taken in line with these recommendations, the legal risk of challenge has been assessed as low

8. Equalities Implications

8.1 None

9. Climate Change Implications

9.1 None

11. Risk Management

11.1 The Charity's funds are invested with the District Council. Risks of financial loss are mitigated by prioritising security and liquidity ahead of yield. The financial risks are assessed as low.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	28/10/2024
Director of Resources/ S.151 Officer	Karen Henriksen	28/10/2024
Monitoring Officer (or Legal Services Manager)	Kerry France	28/10/24



Agenda Item 6

**OPEN REPORT
ERNEST BAILEY CHARITY COMMITTEE**

Ernest Bailey Charity Committee – 5th November 2024

DISTRIBUTION OF CHARITABLE FUNDS

Report of the Director of Community and Environmental Services

Report Author and Contact Details

Emma Mortimer, Community Development Officer
01629 761392 or emma.mortimer@derbyshiredales.gov.uk

Wards Affected

Matlock East & Tansley, Matlock West, Cromford & Matlock Bath, Darley Dale, Chatsworth, Bonsall & Winster

Report Summary

This report considers applications for grant aid.

Recommendations

1. That consideration is given to the applications for grant aid as set out in the attached schedules.
2. That grants be made conditional upon their being used for the purpose for which the application was made and in accordance with the objects of the Trust.

List of Appendices

Appendix 1 (a and b) - The Ernest Bailey Charity Schedule of Applications for Grant Aid 2024

Background Papers

None

Consideration of report by Council or other committee

Not applicable

Council Approval Required

No

Exempt from Press or Public

Report and Appendix 1a are open, Appendix 1b is exempt.

Distribution of Charitable Funds

1. Background

The terms of reference for the Ernest Bailey Charity Committee are to ensure that funds are applied for the general benefit of the inhabitants of Matlock and district in one or more of the following ways:

- For the relief of the aged and poor
- For the relief of distress and sickness
- To provide or support facilities for recreation and other leisure time activities
- To provide or support educational facilities, or
- In such other ways as the Trustee thinks fit.

The area of benefit is the former area of the Matlock Urban District Council i.e. Matlock, Matlock Bath, Bonsall, Cromford, Darley Dale, Northwood and Tinkersley, Rowsley (part), South Darley, Starkholmes, and Tansley.

2. Key Issues Funding of Applications

2.1 Financial

The usual practice is to consider current grant applications from within the current year's interest receipts, estimated at £8,090.33 for 2024/25. Should the Committee decide to award grants totalling more than this level, the result would be a reduction in the amount available for distribution in the future. The Charity currently holds funds of £168,197.47, of which £167,192.50 (made up of £150,000 capital grant and £17,912.50 net proceeds from the sale of land at Pope Carr Road) is invested. This leaves a working balance of £1,004.97. The Committee could award grants up to the value of £9,095.30 (the sum of the working balance and the interest earned in 2024/25), without affecting the amount invested.

2.2 Applications

A total of 17 applications have been received which are summarised on the attached schedule in Appendix 1 a&b. Based on merit and the financial position of the applicant's, suggested grants have been identified based from the interest to be received this year of £8,090.33.

2.3 Proof of Spend

The successful applicants are sent an evaluation forms. All the individual applicants sent a copy of receipts or invoices and half the groups/organisation completed evaluation forms.

3. Options Considered and Recommended Proposal

3.1 The Committee may determine the grant for each application within the overall finance available, as set out in paragraph 2.1.

4. Consultation

4.1 Not applicable

5. Timetable for Implementation

5.1 Not applicable

6. Policy Implications

6.1 Not applicable

7. Financial and Resource Implications

7.1 The Charity currently holds funds of £168,197.47, of which £167,192.50 (made up of £150,000 capital grant and £17,912.50 net proceeds from the sale of land at Pope Carr Road) is invested and earns interest. This leaves a working balance of £1,004.97.

7.2 The Charity has £167,192.50 invested with Derbyshire Dales District Council and for 2024/25 interest earned is expected to be £8,090.33, at an average rate of 4.87%

7.3 The following interest rates have been applied to the estimate for 2024/25:-

5.08% from 1st April to 30th September 2024

4.65% from 1st October to 31st March 2025

7.4 The usual practice is to consider current grant applications from within the current year's interest receipts, estimated at £8,090.33. Should the Committee decide to award grants totalling more than this level, the result would be a reduction in the amount available for distribution in the future. The Committee could award grants up to the value of £9,095.30 (the sum of the working balance and the interest earned in 2024/25), without affecting the amount invested.

7.5 The charity holds land, but its value is not included in the figures in this report.

7.6 As sole Trustee, the Council is under an obligation to look after the assets of the Charity with the same care as it would do its own money. The actual and estimated income and expenditure set out in the report show a proper and prudent management of the Charity's assets.

8. Legal Advice and Implications

8.1 The District Council became the sole Trustee of the Ernest Bailey Charity following approval by the Charity Commissioners on 12th April 1985. This function was later delegated to the Ernest Bailey Charity Committee.

8.2 Trustees have a legal duty to protect the charities assets and apply them for the charity's charitable purposes.

8.3 This report set out 2 recommended decisions to be taken. If decisions are made in line with the recommendations the legal risk has been assessed as low.

9. Equalities Implications

9.1 None

10. Climate Change Implications

10.1 None

11. Risk Management

11.1 The Charity's funds are invested with the District Council. Risks of financial loss are mitigating by prioritising security and liquidity ahead of yield. The financial risks are assessed as low.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	28/10/2024
Director of Resources/ S.151 Officer	Karen Henriksen	28/10/2024
Monitoring Officer (or Legal Services Manager)	Kerry France	28/10/2024

The Ernest Bailey Charity Schedule of Applications for Grant Aid 2024

NO	ORGANISATION	REG. CHARITY	PROJECT/PURPOSE	TOTAL COST £	AMOUNT STILL TO BE RAISED £	GRANT REQUESTED IF STATED £	ACCOUNTS RECEIVED	COMMENTS	GRANTS AWARDED TO DATE £	SUGGESTED GRANT £
1/24	High Tor Player		To put on a play with additional activities & items to enable people with disabilities to attend and get the most out of it	4,582	3532	600	yes	They have received some LPF	no	600
2/24	Friends of Cromford Canal	1164608	CPR training & upgrade first aid kit for crew of the pleasure boats on the canal	£350	£350	£350	yes		no	350
3/24	Bakewell & Eyam Community Transport	1049389	Subsidise meet & eat trip, aimed at those who are socially isolated. The funds would go to the Dales service which includes: Matlock, Darley Dale, Rowsley.	£4800	£3875	£400	yes		no	400
4/24	Church in the Peak	1156840	Provide fresh fruit & veg in the food parcel for those in need in Matlock and surrounding villages	£1250	£1250	£1000	yes	They have to purchase fresh fruit & vegetables from local wholesaler	no	1000
5/24	Cromford Institute	1149327	Remove old and Inefficient gas boiler and replace with electric water heater. This would be used by the increasing number of groups using the space	£404	£154	£154	yes		March 2024 - £120	154
6/24	River Network	1173794	Community leadership training to reduce anti social behaviour, through mentoring & coaching	£1000	£1000	£1000	yes	Concern regarding delivery of projects they receive funding and the inclusivity of their work	2023 - £50 2020 - 100	0
7/24	Matlock & Darley Dale Royal British Legion		Gazebo for promotional & fund raising activities	1242	958	200	yes	Funds received from Local project fund.	no	200
8/24	Matlock & Cromford cricket club		Purchase starter equipment for young junior cricketers on loan. £130 for kit (helmet, bat, gloves, pads and bag)	£1040	£440	£440	yes	Many of the bats are being refurbished and they are gathering spare equipment but needs to purchase some.	no	440
9/24	EPIC	1203884	Purchase tablecloths and	400	400	400	yes	The club provides weekly	no	400

	Steep Turnike Evangelical Church		crockery for the over 60+ weekly club from Matlock & Darley Dale					activities to combat loneliness and provide support on issues		
10/24	Darley Churchtown school		To transport 48 pupils for forest school activities to St Giles School facilities	2560	1560	1560	yes	60% of pupils are eligible for pupil premium	no	1560
11/24	Pavilion Cafe	1140698	Refloor the café, to provide a health & safety compliant flooring that's, welcoming. Quotes are £3000-£5000 depending on how much of the floor they do. The kitchen is a smaller area and is the priority	£5000	£5000	£5000	Not yet		2022 - £1000	1000
12/24	Northwood & Tinkersley PC		Purchase a planter and compost for roadside entrance to parish. Work with Darley dale in Bloom to match those in Darley Dale	£700	£700	£700	yes	Planters cost £500 and £200 for compost & to DD In Bloom for the upkeep	no	700
13/24	Whitworth Trust	1122436	Purchase new play equipment, to replace the condemned pieces	£50,000	£20,000	£1000	Not yet	They will receive section 106 funding from DDDC, around £39K. Not sure EBC is the most appropriate grant for large sums of money	no	£600

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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