

SOUTH HAMS LOCALITY (COUNTY) COMMITTEE

1 April 2016

Present:-

Devon County Council:-

Councillors Brazil, Croad, Gilbert, Hart, Hawkins, Hosking and Vint

Devon Association of Local Councils

Councillor Dredge

Apologies

Councillors Rowe and Tucker

***6 Election of Chairman**

RESOLVED that Councillor Croad be elected Chairman for the ensuing year.

***7 Election of Vice-Chairman**

RESOLVED that Councillor Hawkins be elected Vice-Chairman for the ensuing year.

***8 Mansion House Trust, Totnes**

(The Chairman, having exercised his discretion and in the spirit of the County Council's Public Participation rules and with the consent of the Committee, invited Mrs Jacqui-Hodgson to speak on her support for the proposal).

The Committee considered the Report of the County Solicitor ([CS/16/18](#)) seeking approval for the Council to resign as a Trustee of The King Edward VI College Site Foundation and appoint Totnes Community Development Society (TCDS) as successor Trustee.

The building included the former Youth Centre site known as the Pulse, and the modern extension housing a day nursery and the Library. The Council did not own the building but, as Trustee of the Foundation, was responsible for its management within the terms of the Foundation's governing documentation.

The property was currently being managed on a temporary basis by Devon Norse (and was previously managed by Adult and Community Learning), who could only carry out statutory compliance monitoring and delegated maintenance via its telephone help desk. This meant the Council was only minimally discharging its responsibilities as Trustee and there was also a growing backlog of maintenance requirements.

The Council, given the local interest and involvement in the building, wished for a continued use and as such had been liaising with the town, via a steering committee and there was substantial support for transferring the Trusteeship of the Foundation to a local body and the Totnes Community Development Society (TCDS) was 'nominated' by the Town Council to lead on this.

The proposal was dependent on the Council transferring £190,000.00 to TCDS, the funding representing the estimated cost that the Council would incur in managing, running and maintaining the Building. All responsibility for the Building would pass to the new trustee from the date of the Councils resignation.

A full business case was attached for Members consideration, which demonstrated their ability to manage the building, maximize its use for charitable purposes and enable income generation to continue to meet its social objectives in perpetuity.

A letter was circulated at the meeting, from Totnes Town Council, outlining a summary of their work since 2014, and highlighting their support for the transfer to TCDS.

Members noted that the 'due diligence' process had not yet been completed and work was continuing in this area as this was a requirement for Directors of TCDS. Members further heard that the Annual Accounts had been formally approved by the Trustees.

Issues and questions raised in discussion included;

- that the current trustees had been assured that a 'competent' body, with a sound business plan were taking on the building, with assurances for the longevity of the building;
- clarification of whether there was any future liability for the Council, should they cease to be a trustee;
- the impact of reduced services, particularly Council services (some of whom were long term tenants within Mansion House) on the viability of the building;
- that the use of volunteers would cut some of the current costs incurred by Mansion House, particularly staffing and cleaning costs; and
- that the proposed new trustees could access various pots of funding and grants to help with the future sustainability of the building.

It was **MOVED** by Councillor Hart, **SECONDED** by Councillor Vint and

RESOLVED that approval be given for the Council to resign as a Trustee of The King Edward VI College Site Foundation and to the appoint Totnes Community Development Society (TCDS) as successor Trustee, following the completion of due diligence and formal agreement with TCDS.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The meeting started at 12.29pm and finished at 12.51pm.

The Minutes of the South Hams Locality (County) Committee are published on the County Council's Website at:-

<http://www.devon.gov.uk/dcc/committee/mingifs.html>