

Combe Martin Community Centre: transfer of educational trust Report of the Head of Business Strategy and Support

Recommendations

Immediately following formal notification of approval from the Charity Commission the North Devon Locality Committee will:

- Resign as Trustees for the Educational Trust
- Appoint Combe Martin Parish Council as new board of Trustees
- Vest the title of the property with the Official Custodian for Charities

1. Background

- 1.1. Combe Martin Community Centre has been declared surplus to requirements by Devon Adult and Community Service (DACL).
- 1.2. As the property is subject to an educational trust, DCC cannot profit from any sale proceeds; instead, these have to be reinvested in a charity with the same charitable objects – for the provision of education in Combe Martin.
- 1.3. The Parish Council have expressed an interest in ‘taking over’ the property and retaining it for community use.
- 1.4. DCC has proposed an appropriate mechanism to effect a transfer of responsibility for the property to the Parish Council, which was approved by the Charity Commission for the transfer of a similar property in January 2012.
- 1.5. Councillor Andrea Davis has been leading the dialogue between the Parish Council and DCC and has put this proposal to the Parish Council for their consideration and approval.
- 1.6. The authority is still awaiting a response from the Parish Council.
- 1.7. Once that has been received, DCC will need to seek formal approval from the Charity Commission that this is the appropriate mechanism for transfer of responsibility in this instance.
- 1.8. To allow a transfer to take place prior to the next North Devon Committee meeting in June it is recommended that immediately following notification of approval by the Charity Commission this committee agrees to:
 - Resign as Trustees of Combe Martin Community Centre
 - Appoint Combe Martin Parish Council as the new Board of Trustees for Combe Martin Community Centre
 - Vest the title of the property with the Official Custodian of Charities

Sustainability Considerations

None

Equality Considerations

None

Legal Considerations

None

Risk Management Considerations

This policy/proposal has been assessed and all necessary safeguards or actions have been taken/included to safeguard the Council's position.

*Rob Parkhouse
Head of Business Strategy and Support*

Electoral Divisions: All

Local Government Act 1972: List of Background Papers

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