

THROWLEIGH Report of the Head of Business Strategy and Support

Recommendation(s):

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect

1. Recommendations

That the Head of Business Strategy and Support, in consultation with the Chairman/Vice-Chairman of the West Devon Locality Committee, be authorised to approve a new charitable scheme for the Throwleigh Residential Centre Trust once discussions with the four parishes have concluded.

The new scheme will:

- Allow for a disposal
- Vest the proceeds of sale in a grant making trust for the benefit of young people in the parishes of Throwleigh, Gidleigh, Drewsteignton and Chagford
- Administration of funds to be overseen by a subgroup made up of representatives, nominated by the parish councils, of each of the four parishes, chaired by the parent charity and 4 year term of office.

2. Background

- 2.1. The Throwleigh Residential Centre has been surplus to DCC's requirements for several years but the property is subject to an educational trust which does not make provision for a disposal either by long term lease or sale.
- 2.2. The current trustees need to agree a new charitable scheme with the Charity Commission that will allow the property to be sold.
- 2.3. The original scheme proposed by the Charity Commission which would allow the trust to be transferred to a new Primary School in Okehampton was not agreed by the trustees as there was no benefit for the parishes of Throwleigh, Gidleigh, Drewsteignton and Chagford, the original areas of benefit when the property was first endowed.
- 2.4. A number of letters of objection to the original scheme were sent by residents in the four parishes.
- 2.5. Current trustees have agreed that the objects of the new scheme, subject to Charity Commission approval must:
 - Allow for a disposal
 - Vest the proceeds of sale in a grant making trust for the benefit of young people in the parishes of Throwleigh, Gidleigh, Drewsteignton and Chagford

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- Administration of funds to be overseen by a subgroup made up of representatives, nominated by the parish councils, of each of the four parishes, chaired by the parent charity and 4 year term of office.

2.6. The objects set out in 2.5 have been broadly accepted by those who objected to the original proposal (see 2.3 above) and Trustees are now in discussions with the four parishes to develop the most appropriate vehicle to receive the trust.

*Rob Parkhouse
Head of Business Strategy and Support*

Electoral Divisions: Hatherleigh and Chagford

Local Government Act 1972: List of Background Papers: None

Who to contact for enquiries:

Name: Charlotte Reynolds; 01392 382754 charlotte.reynolds@devon.gov.uk

Cabinet Member: Councillor John Clatworthy

Options/Alternatives: None

Consultations/Representations/Technical Data: None

Financial Considerations: None

Sustainability Considerations: None

Carbon Impact Considerations: None

Equality Considerations: None

Legal Considerations

DCC has taken extensive legal advice, including the advice of legal counsel and the Charity Commission. The proposed new scheme as proposed by the Charity Commission is in full accordance with the legal advice given.

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.

Public Health Impact: None

Summary/Conclusions/Reasons for Recommendations: None