



Subject: F and A S Maskew Bequest -
Delegated Operational Arrangements

Report to: Charitable Trustee Committee

Report of: Deputy Chief Executive (Customers
and Corporate Directorate)

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Key Decision: No

1 Purpose of Report

- 1.1 To seek agreement for delegated powers to the Deputy Chief Executive for the expenditure of funds from the F and A S Maskew Bequest.

2 Recommendations

- 2.1 The Deputy Chief Executive be delegated authority to approve expenditure up to the total sum of £10,000.00 per annum from the Maskew Bequest for the purposes of the purchase of books and the promotion of and engagement with the F and A S Maskew Bequest Collection.
- 2.2 Proposed expenditure in excess of £10,000 to be the subject of report to this Committee for approval, with any urgent matters requiring a decision prior to the convening of a meeting of this committee to be delegated to the Deputy Chief Executive after consultation with the Chair and Vice-Chair of this Committee.
- 2.3 Any proposed expenditure or other matter impacting upon the F and A S Maskew Bequest specifically which has been the subject of a report to Cabinet or to an individual Portfolio Holder to be submitted to this Committee for approval as the Bequest Trustee prior to the implementation of any decision.

Reason for recommendation

The Council has delegated the role of Trusteeship of the F and A S Maskew Bequest to the Charitable Trustee Committee.

3 Background

- 3.1 The purpose of the F and A S Maskew Bequest is the purchase of books on the subjects of Philosophy and Classic Literature and a sum identified for other non-specified expenditure. Discussion and agreement with the Executor has led to the undertaking of activities and expenditure intended to encourage engagement with and use of the collection, including one member of staff, marketing, projects, events and activities. The Bequest is administered through Community Services in the Customers and Corporate Directorate which have contributed to the content of this report.

- 3.2 Ongoing day to day activities funded through the Bequest include the purchase of books; enhanced signage and facilities for maintenance and access to the Collection; and support for events such as the Literature Festival and others which promote literature and philosophy. While there is no specific requirement to do so, Officers have maintained a contact with the Executors to ensure that such uses are compatible with the intentions of the Benefactors.
- 3.3 In order to maintain the day to day operations of the Bequest, the Committee is asked to delegate expenditure of up to a total of £10,000 per annum on separate items to the Deputy Chief Executive, with any proposed expenditure in excess of £10,000 being the subject of a report to the Charitable Trustee Committee and urgent matters requiring a decision prior to the convening of a meeting of this committee to be delegated to the Deputy Chief Executive after consultation with the Chair and Vice-Chair of this Committee. In keeping with the purpose of the establishment of this Committee to act apart from the Council's Executive, it is further recommended that any matter that may be the subject of a report submitted to Cabinet or an individual Portfolio Holder which may have an impact upon the F and A S Maskew Bequest should be submitted to the Committee for approval as the Bequest Trustee prior to the implementation of any decision.
- 3.4 Looking ahead, it is suggested that the Committee, in addition to any other report that may be submitted for consideration, may wish to receive an Annual Report report on activity undertaken and expenditure in the previous year and projections for the forthcoming year, and that this report should be submitted in June or July each year.

Alternatives considered

The Committee could determine not to delegate expenditure from the F and A S Maskew Bequest to the Deputy Chief Executive, but this would mean the submission of additional reports over the course of a year seeking, in the main, dealing with relatively low levels of expenditure. This it is suggested would represent an undue administrative burden. The proposal is intended to seek approval from the Committee for the time being to continue the current day to day arrangements, pending any further considerations which this Committee may have.

4 Financial Implications

- 4.1 There are no financial implications arising from the proposals contained within this report. The overall position of the Bequest as at 31st March 2014 was as follows:

Maskew Bequest - Summary Statement 2013/14	Maskew Bequest: Specified (£000s)	Maskew Bequest: Unspecified (£000s)	Total (£000s)
Balance brought forward at 1/4/2013	285.2	51.0	336.2
Expenditure	-71.2	-7.0	-78.2
Income	1.2	0.2	1.4
Balance carried forward at 31/3/2014	215.2	44.2	259.4

5 Legal Implications

- 5.1 The Council has delegated authority to the Charitable Trustee Committee as a Committee of the Council to discharge its duties as trustee in respect of the F and A S Maskew Bequest. The Council has a responsibility to discharge its duties solely in the

interests of the Bequest and where there are competing public interests, to ensure that it seeks independent advice before making any decision. Officers are further considering the most appropriate form of governance arrangements for the administration of the Maskew Bequest and will report in due course on this matter.

6 Personnel Implications

6.1 None

7 Corporate Priorities

7.1 The Committee, when acting in its role as Bequest Trustee, is obliged to act in the best interests of the Maskew Bequest. The establishment of the Committee arose from advice of the Charity Commission to resolve any potential conflict between the Executive (generally the Cabinet) who will be pursuing the corporate priorities and the Council function as a Charitable Trustee, where the interests of the Bequest may differ.

8. Risk Assessment Implications

8.1 The establishment of the Committee has sought to provide transparency of decision making and differentiate between Executive and Council functions. There existed a risk that the interests of the Bequest might be treated as subservient to the interests of the Executive when considering operational matters. The establishment of the Committee seeks to mitigate that risk by creating a body outside of the Executive to safeguard the interests of the Bequest.

9. Equalities Impacts

Workforce Equality Impacts Assessment

There are no workforce equality issues arising from this report.

Equality/Community Impact Assessments

There are no significant equality/community issues arising from this report.

Background Papers	
Document	Place of Inspection