

Agenda Item No: 5

Report to: Charity Committee

Date of Meeting: 24 March 2014

Report Title: Appointment of Protector

Report By: Christine Barkshire-Jones
Chief Legal Officer

Purpose of Report

To request that the Charity Committee approve the re-appointment of Chris May as 'the Protector' of the Hastings and St Leonards Foreshore Charity Trust.

Recommendation(s)

- 1. To re-appoint Christopher May as the 'Protector' of Hastings and St Leonards Foreshore Charity Trust for a period of three years.**
- 2. The daily rate allowance be increased by 10% from £320 to £352 up to a maximum of £10,000 in any one year.**

Reasons for Recommendations

On the 13 January 2011, the Charity Commission for England and Wales approved Hastings Borough Council as trustee for the Hastings and St Leonards Foreshore Charitable Trust. The scheme required that the trustee must appoint a Protector of the charity, "whose fiduciary duty will be to ensure the integrity of the administration of the charity, and who must report to the Charity Commission any matter which he has reasonable cause to believe is likely to be relevant for the purposes of the exercise by the Commission of any of its functions".

Introduction

1. It is a requirement of the above scheme that the postholder of Protector must be a person who holds a qualification awarded by a member of the Consultative Committee of Accountancy Bodies. Mr May is a Chartered Accountant.

Process

2. The post of Protector was advertised on the Council's website for a period of three weeks. Mr May was the only applicant.
3. Mr May was initially selected as the Charity's Protector in 2009 the appointment coming into effect with the sealing of the scheme in 2011.
4. Mr May has three years previous experience of being the Protector of the Charity. Whilst the appointment is for a maximum term of three years the number of terms that a Protector may serve is unlimited.

Financial Implications

5. In terms of Protectors' expenses the allowance was decided in 2009, it is suggested that a 10% increase is applied to the daily rate.
6. The Protector is also entitled to receive reasonable out of pocket expenses and the cost of obtaining indemnity insurance.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Area(s) Affected

None

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

Background Information

None

Officer to Contact

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