



Democratic Services
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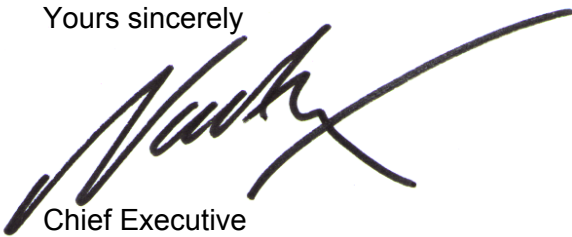
26 August 2010

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **CABINET** will be held at these Offices (Council Chamber) on Monday 6 September 2010 at 11.00 am when the following business will be transacted.

Members of the public who require further information are asked to contact Kate Batty-Smith on (01304) 872303 or by e-mail at kate.batty-smith@doover.gov.uk.

Yours sincerely



Chief Executive

Cabinet Membership:

Councillor P A Watkins	Leader of the Council
Councillor F J W Scales	Deputy Leader and Portfolio Holder for Economy & Special Projects
Councillor T J Bartlett	Portfolio Holder for ICT, Consumer Affairs & Human Resources
Councillor S S Chandler	Portfolio Holder for Community, Housing & Youth
Councillor N J Collor	Portfolio Holder for Access & Property Management
Councillor P G Heath	Portfolio Holder for Health, Well Being & Public Protection
Councillor N S Kenton	Portfolio Holder for Environment, Waste & Planning
Councillor C J Smith	Portfolio Holder for Skills, Training & External Relations
Councillor I H Ward	Portfolio Holder for Corporate Resources & Performance

DECLARATIONS OF INTEREST

Members are required to disclose the existence and nature of a personal interest at the commencement of the item of business to which the interest relates or when the interest becomes apparent. An explanation in general terms of the interest should also be given to the meeting. If the interest is also a prejudicial interest, the Member should then withdraw from the room or chamber.

AGENDA

1. APOLOGIES

EXECUTIVE – NON-KEY DECISIONS

2. SIR ERNEST BRUCE CHARLES CHARITY (CHARITY NO 1021750) AND FREDERICK FRANKLIN CHARITY FOR A PUBLIC PARK (CHARITY NO 1092171) (Pages 3-17)

To consider the report of the Solicitor to the Council.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting. Basic translations of specific reports and the Minutes are available on request in 12 different languages.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Kate Batty-Smith, Democratic Support Officer, telephone: (01304) 872303 or email: kate.batty-smith@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

REPORT OF THE SOLICITOR TO THE COUNCIL

NON-KEY DECISION

EXECUTIVE – CHARITY

CABINET – 6 SEPTEMBER 2010

SIR ERNEST BRUCE CHARLES CHARITY – CHARITY NO. 1021750 AND CHARITY OF FREDERICK FRANKLIN FOR A PUBLIC PARK – CHARITY NO 1092171

Recommendation

That Cabinet approves the accounts and notes the contents of the Trustee Detail Update Forms for 2010 for the above Charities, which are have been submitted to the Charity Commission.

Contact Officer: Geraldine Ormiston, extension 2327

Reasons why a decision is required

1. It is a legal requirement that Trustee Detail Annual Update Forms for 2010 are returned to the Charity Commission. This has already been done electronically. It is also a requirement that the information given in the forms “has been brought to the attention of all charity trustees.” The Cabinet fulfils the role of the Charity Trustees in respect of those charities for which the Council is Trustee in its corporate capacity. This applies to the above named charities.

Options available to the Council with assessment of preferred option

2. There are no options open to the Cabinet other than to note the information given in the documents.
3. **Cabinet is reminded that, in discharging functions in relation to charities the law requires Members to put aside their aspirations for the Council in a corporate sense and to act solely in the best interests of the Charity. The Cabinet (acting as trustee) is required to act reasonably and prudently in all matters relating to the charity and to act with the same degree of care and skill as a prudent person of business would exercise in the management of his or her own affairs or those of someone else for whom they had responsibility.**

Information to be considered in taking the decision

4. The relevant information for each Charity is contained in the Annual Update 2010 Form (On-line version) and the Statements of Accounts 2010 which are attached at Appendix 1.

Background Papers

Attached Trustee Detail Annual Update Forms 2010 for each Charity
Attached Statements of Account for each Charity for 2010

Resource Implications

None.

Communication Statement

None.

Impact on Corporate Objectives and Corporate Risks

None.

Customer Access Review

None.

Impact on Corporate Objectives

This report is concerned solely with the affairs of the charities. In considering the report the Cabinet must act solely in the best interests of the charities and therefore, any impact on the Council's Corporate Objectives, either for better or worse, is completely irrelevant.

Attachments

Appendix 1: Attached Trustee Detail Annual Update Forms 2010
(Online version)
Attached Statements of Account for the years 2010

HARVEY RUDD

Solicitor to the Council

The officer to whom reference should be made concerning inspection of the background papers is the Solicitor to the Council, White Cliffs Business Park, Dover, Kent CT16 3PJ. Telephone: (01304) 821199, Extension 2321.

Annual Update 2010 (Online)



SIR ERNEST BRUCE CHARLES CHARITY

Charity Number: 1021750

Some of the information you give in this form will become publicly available on the Register of Charities. These fields are marked - **P**

This form shows the information you have entered through the Annual Update 2010 Online.

The Annual Update was submitted online by MRS GERALDINE ORMISTON on 03 August 2010. You do not need to send us a signed copy.

PART A - Charity Information

A1 - FINANCIAL YEAR

This Annual Update should be completed for financial years ending on or after 1st January 2010.

Financial year start - P :	01 April 2009
Financial year end - P :	31 March 2010
Next financial year end:	31 March 2011

A2 - INCOME AND EXPENDITURE

This shows your charity's income and expenditure for the financial year shown at A1. PLEASE NOTE THESE FIGURES ARE ROUNDED TO THE NEAREST POUND.

Income - P :	£439
Expenditure - P :	£6,526

A3 - CHARITY CONTACT

The contact details for your charity are printed below.

Your current contact is an: Individual

Title:	MR
Personal Names:	HARVEY
Family Name:	RUDD
Suffix:	
Display Name - P :	MR HARVEY RUDD
Date of Birth:	24 February 1960
Telephone - P :	01304 872321
Mobile:	
Your contact details as shown on the Register of Charities are - P :	MR HARVEY RUDD DOVER DISTRICT COUNCIL HONEYWOOD CLOSE WHITE CLIFFS BUSINESS PARK WHITFIELD DOVER CT16 3PJ

A4 - EMAIL FOR CHARITY COMMISSION USE

This is an address that will only be used by the Commission for contacting the charity, for example when issuing a password for our online services or for mailing reminders.

Your current private email address: harveyrudd@dover.gov.uk

A5 - EMAIL FOR PUBLIC DISPLAY

This is a public address that will be displayed on the Register of Charities.

Your current public email address - **P**: harveyrudd@dover.gov.uk

A6 - CHARITY WEBSITE

If the charity has its own website and we hold the address, a hyperlink will be available for the public to access the site from the charity's entry on the Register of Charities.

Your current charity website - **P**: No website address provided.

A7 - CORPORATE TRUSTEE

If your charity has a corporate trustee, the details we hold are shown below.

Corporate Trustee Name - **P**:
Address:

DOVER DISTRICT COUNCIL
WHITE CLIFFS BUSINESS PARK
DOVER

Post Code:
Telephone:
Email:

KENT
CT16 3PJ
01304 872 321

A8/A9 - CURRENT AND NEW INDIVIDUAL TRUSTEES

Your charity has no individual trustees.

A10 - LINKED CHARITIES

There are no active linked (subsidiary or consituent) charities associated with this charity. If this is incorrect please call us on 0845 3000 197.

A11 - AREA OF OPERATION IN ENGLAND AND WALES

Shown below is the area in England and Wales that we currently hold for your charity - **P**.

1 KENT

A12 - AREA OF OPERATION OUTSIDE ENGLAND AND WALES

Your charity has not specified any countries of operation outside England and Wales.

A13 - CHARITY CLASSIFICATION

Printed below are the details we currently hold for your charity.

WHAT your charity sets out to do - **P**:

<input checked="" type="checkbox"/>	General Charitable Purposes
<input type="checkbox"/>	Education/Training
<input type="checkbox"/>	Medical/Health/Sickness
<input type="checkbox"/>	Disability
<input type="checkbox"/>	Relief of Poverty
<input type="checkbox"/>	Overseas aid/Famine relief
<input type="checkbox"/>	Accommodation/Housing
<input type="checkbox"/>	Religious activities

	Arts/culture
	Sport/recreation
	Animals
	Environment/Conservation/Heritage
	Economic/Community development/Employment
	Other charitable purposes

WHO your charity helps - **P**:

	Children/Young people
	Elderly/Old People
	People with disabilities
	People of a particular ethnic or racial origin
	Other charities/Voluntary bodies
	Other defined groups
<input checked="" type="checkbox"/>	General public/Mankind

HOW your charity operates - **P**:

<input checked="" type="checkbox"/>	Makes grants to individuals
<input checked="" type="checkbox"/>	Makes grants to organisations
	Provides other finance
	Provides human resources
	Provides buildings/facilities/open space
	Provides services
	Provides advocacy/advice/information
	Sponsors or undertakes research
	Acts as umbrella or resource body
	Other charitable activities

A14 - CHARITY ACTIVITIES

Your charity has given us the following brief description of its current activities - **P**.

GENERAL CHARITABLE PURPOSES FOR GENERAL PUBLIC. MAKES GRANTS TO INDIVIDUALS (INCLUDING LOANS) & TO ORGANISATIONS (INCL. SCHOOLS, CHARITIES ETC.)

A15 - UK VOLUNTEERS

Your charity has opted not to answer the question on UK volunteers.

A16 - CHARITY'S MAIN BANK/BUILDING SOCIETY ACCOUNT

Below are the current details we hold about your main bank or building society account. Account details are not available to the public. For security purposes we have not printed the full account number.

Bank name:	NAT WEST BANK PLC DOVER
Sort code:	60-07-04
Account number:	****2864
Account name:	DOVER DISTRICT COUNCIL CURRENT

DATA PROTECTION

Any information you give us will be held securely and processed only in accordance with the rules on data protection. Your personal will not be disclosed to anyone unconnected with the Charity Commission unless you have consented to their release, or in the circumstances that are set out in the Guidance Notes.

DECLARATION

Your Annual Update was submitted online by MRS GERALDINE ORMISTON on 03 August 2010, telephone number 01304 872327.

MRS GERALDINE ORMISTON certified online that:

- the information provided was correct
- it had been or would be brought to the attention of all the trustees

Those who give answers that they know are untrue or misleading may be committing an offence.

CONTACT DETAILS

Address

The Charity Commission
PO Box 1329
Liverpool
L69 3DY

Telephone

0845 3000 218

Textphone

0845 3000 219

Email

enquiries@charitycommission.gsi.gov.uk

Web

www.charitycommission.gov.uk

SIR ERNEST BRUCE CHARLES CHARITY NO. 1021750

Purpose of Charity: Income (after expenses) to be applied for the benefit of Deal and surrounding area inhabitants.

**STATEMENT OF INCOME & EXPENDITURE AND CHANGES IN FUND BALANCES
FOR THE YEAR ENDED 31 MARCH 2010**

	31/03/2010			31/03/2009
	Endowment £	General £	Total £	Total £
Income (note 2)	0.00	438.64	438.64	2,754.62
Expenditure				
Publicity & Advertising	0.00	0.00	0.00	0.00
Accountancy and Legal Fees	0.00	0.00	1,430.00	0.00
Grants paid	0.00	5,096.00	5,096.00	0.00
Total Expenditure	0.00	5,096.00	6,526.00	0.00
Surplus / (Deficit) for the year	0.00	(4,657.36)	(6,087.36)	2,754.62

BALANCE SHEET AS AT 31 MARCH 2010

	31/03/2010			31/03/2009
	Endowment £	General £	Total £	Total £
Assets				
Investments (note 3)	50,000.00	18,009.34	68,009.34	71,932.80
Cash at Bank	0.00	0.00	0.00	2,163.90
	50,000.00	18,009.34	68,009.34	74,096.70
Represented by:				
Balance 1 April	50,000.00	24,096.70	74,096.70	71,342.08
Surplus / (Deficit) for the year	0.00	(6,087.36)	(6,087.36)	2,754.62
	50,000.00	18,009.34	68,009.34	74,096.70

(1) The accounts have been prepared on a receipts and payments basis in accordance with Section 42 (3) of the Charities Act 1993.

(2) Any Tax paid on interest earned in 2009/10 will be refunded during the financial year 2010/11

(3) Investments comprise:

	31/03/2010 £	31/03/2009 £
Special Interest Bearing Account	53,297.15	57,336.83
Charities Official Investment Fund deposit account	14,712.19	14,595.97
	68,009.34	71,932.80

This includes a non-distributable endowment of £50,000

Annual Update 2010 (Online)



CHARITY OF FREDERICK FRANKLIN FOR A PUBLIC PARK

Charity Number: 1092171

Some of the information you give in this form will become publicly available on the Register of Charities. These fields are marked - **P**

This form shows the information you have entered through the Annual Update 2010 Online.

The Annual Update was submitted online by MRS GERALDINE ORMISTON on 03 August 2010. You do not need to send us a signed copy.

PART A - Charity Information

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This Annual Update should be completed for financial years ending on or after 1st January 2010.

Financial year start - P :	01 April 2009
Financial year end - P :	31 March 2010
Next financial year end:	31 March 2011

A2 - INCOME AND EXPENDITURE

This shows your charity's income and expenditure for the financial year shown at A1. PLEASE NOTE THESE FIGURES ARE ROUNDED TO THE NEAREST POUND.

Income - P :	£436
Expenditure - P :	£6,155

A3 - CHARITY CONTACT

The contact details for your charity are printed below.

Your current contact is an: Individual

Title:	MR
Personal Names:	HARVEY
Family Name:	RUDD
Suffix:	
Your contact details as shown on the Register of Charities are - P:	MR HARVEY RUDD

A4 - EMAIL FOR CHARITY COMMISSION USE

This is an address that will only be used by the Commission for contacting the charity, for example when issuing a password for our online services or for mailing reminders.

Your current private email address: harveyrudd@dover.gov.uk

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This is a public address that will be displayed on the Register of Charities.

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If the charity has its own website and we hold the address, a hyperlink will be available for the public to access the site from the charity's entry on the Register of Charities.

Your current charity website - P: No website address provided.

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If your charity has a corporate trustee, the details we hold are shown below.

Corporate Trustee Name - P:	DOVER DISTRICT COUNCIL
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	DOVER
	KENT
Post Code:	CT16 3PJ
Telephone:	01304 872 321
Email:	

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	Medical/Health/Sickness
	Disability
	Relief of Poverty
	Overseas aid/Famine relief
	Accommodation/Housing
	Religious activities
	Arts/culture
✓	Sport/recreation
	Animals
✓	Environment/Conservation/Heritage
	Economic/Community development/Employment
	Other charitable purposes

WHO your charity helps - **P**:

	Children/Young people
--	-----------------------

	Elderly/Old People
	People with disabilities
	People of a particular ethnic or racial origin
	Other charities/Voluntary bodies
	Other defined groups
✓	General public/Mankind

HOW your charity operates - **P**:

	Makes grants to individuals
	Makes grants to organisations
	Provides other finance
	Provides human resources
✓	Provides buildings/facilities/open space
	Provides services
	Provides advocacy/advice/information
	Sponsors or undertakes research
	Acts as umbrella or resource body
	Other charitable activities

A14 - CHARITY ACTIVITIES

Your charity has given us the following brief description of its current activities - **P**.

PROVIDES SPORT & RECREATIONAL FACILITIES FOR THE GENERAL PUBLIC/MANKIND
IN THE FORM OF BUILDINGS, FACILITIES & OPEN SPACE

A15 - UK VOLUNTEERS

Your charity has opted not to answer the question on UK volunteers.

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The Charity Commission
PO Box 1329
Liverpool
L69 3DY

Email

enquiries@charitycommission.gsi.gov.uk

Telephone

0845 3000 218

Textphone

0845 3000 219

Web

www.charitycommission.gov.uk

CHARITY OF FREDERICK FRANKLIN FOR A PUBLIC PARK - CHARITY NO. 1092171

Purpose of Charity: Land at Marke Wood to be used for recreational activities of Walmer inhabitants.

**STATEMENT OF INCOME & EXPENDITURE AND CHANGES IN FUND BALANCES
FOR THE YEAR TO 31 MARCH 2010**

	31/03/2010			31/03/2009
	Endowment £	General £	Total £	Total £
Income	436.25	0.00	436.25	0.00
Expenditure				
Valuation fees	0.00	0.00	0.00	0.00
Accountancy fees	0.00	0.00	0.00	0.00
Insurance	0.00	475.95	475.95	114.02
Other Property costs	0.00	5,679.03	5,679.03	3,243.40
Grounds maintenance contribution	0.00	0.00	0.00	0.00
Grounds maintenance contribution	0.00	0.00	0.00	0.00
Total Expenditure	0.00	6,154.98	6,154.98	3,357.42
Surplus / (Deficit) for the year	436.25	(6,154.98)	(5,718.73)	(3,357.42)

BALANCE SHEET FOR THE YEAR TO 31 MARCH 2010

	31/03/2010			31/03/2009
	Endowment £	General £	Total £	Total £
Assets				
Dwellings (note 2)	0.00	0.00	0.00	190,000.00
Land & Other Buildings (note 3)	174,273.00	0.00	174,273.00	174,273.00
Investments (note 4)	179,731.75	0.00	179,731.75	0.00
Less Liabilities				
Creditors DDC	0.00	(12,002.58)	(12,002.58)	(5,847.60)
	354,004.75	(12,002.58)	342,002.17	358,425.40
Represented by:				
Fund balance 1 April	364,273.00	(5,847.60)	358,425.40	361,782.82
Revaluation Loss	(10,704.50)	0.00	(10,704.50)	0.00
Investment	0.00	0.00	0.00	0.00
Surplus / (Deficit) for the year	436.25	(6,154.98)	(5,718.73)	(3,357.42)
Fund balance 31 March	354,004.75	(12,002.58)	342,002.17	358,425.40

Notes to the accounts

(1) The two Charities "Frederick Franklin Charity" & "Charles Sports Ground Charity" were merged to form the "Charity of Frederick Franklin for a Public Park" on 22 April 2002.

(2) Dwellings:-
56 Liverpool Road, Walmer,
Accommodation consists of a brick chalet bungalow, with garage.

Valued in 2002	Valued in 2006	Sold in 2009
£55,000.00	£190,000.00	£0.00

(3) Land & Other Buildings:-
Markewood Pavillion
Markewood Arbour

Valued in 2002	Valued in 2006	
£160,548.00	£160,335.00	(Replacement Value)
£15,011.00	£13,938.00	(Replacement Value)
<u>£175,559.00</u>	<u>£174,273.00</u>	

(4) Investments
Siba held account

Year end Bal
£179,731.75