

# HERBERT STRUTT CHARITY

## TERMS OF ADMINISTRATION OF THE CHARITY

**Dated – 1 April 2018**

### **1 Definitions**

- 1.1 'The Charity' means The Herbert Strutt Charity
- 1.2 'The Trustee' means Belper Town Council
- 1.3 'Commencement Date' means 1 April 2018

### **2 Background**

- 2.1 By Deed dated 15 May 1986, the Charity Commission approved and established the Charity.
- 2.2 The Charity was administered and managed by Amber Valley Borough Council.
- 2.3 By email dated 2 November 2017 the Charity Commission consented to the appointment of Belper Town Council as the Charity Trustee in place of Amber Valley Borough Council commencing on the Commencement Date.
- 2.4 From the Commencement Date, Belper Town Council will administer and manage the Charity as Trustee thereof.

### **3 The Herbert Strutt Charity Committee**

- 3.1 The Trustee has set up the Herbert Strutt Charity Committee and delegates to the Committee the power to administer and manage the Charity.
- 3.2 The Trustee shall annually appoint 6 Councillors to the Committee at its Annual General Meeting.
- 3.3 The Committee shall meet up to 4 times a year to consider distributions of income. The Committee may, in addition, meet on an urgent basis to consider an urgent distribution.
- 3.4 The Committee delegates power to the Town Clerk to give advice regarding the Charity, promote the Charity, assist individuals with Grant Applications, arrange meetings of the Committee and assess the Urgency or otherwise of Grant applications.
- 3.4 The Committee shall be quorate if 4 of the 6 Councillors attend the Meeting.

3.5 The Committee shall annually review the Grant Conditions, the Grant Application Forms and the investment of the Charity's Funds.

#### **4 Funds held by the Charity**

4.1 As at the Commencement Date the Funds held on behalf of the Charity amount to £xxxxx.

4.2 The Funds are invested as per Schedule 1

#### **5 Application of Income**

5.1 The Trustee shall be able to deduct any costs, charges and expenses of and incidental to the management of the Charity from the income from the investment of the Funds. This is the Net Income.

5.2 The Net Income shall be distributed by the Committee in accordance with the Grant Conditions at Schedule 2.

5.3 The Grant Conditions will reflect the charitable purposes of the Charity namely that

5.3.1 The distributions shall be for the General Benefit of the Inhabitants of Belper in the following ways

- 5.3.1.1 The relief of the aged, impotent and poor
- 5.2.1.2 The relief of distress and sickness
- 5.2.1.3 The provision and support of facilities for recreation and leisure time occupation
- 5.2.1.4 The provision and support of educational facilities
- 5.2.1.5 In such other ways as the Trustee thinks fit

5.3.2 The Trustee may apply the income either directly or by way of donations or subscriptions to institutions or organisations which apply or undertake to apply whole or part of their income in accordance with clause 5.3.1 above.

#### **6 Generally**

6.1 The Trustee shall comply with all Charity Law and Regulations

6.2 The Trustee shall file the appropriate accounts at the Charity Commission

6.3 The Trustee shall not apply income of the Charity directly in relief of rates, taxes or other public funds but may apply income in supplementing relief or assistance provided out of public funds.

Schedule 1

Investment of Funds as at 1 April 2018

## Schedule 2

Grant conditions as at 1 April 2018

### **HERBERT STRUTT CHARITY GRANT CONDITIONS - INDIVIDUALS**

- 1 Belper Town Council manages and administers the Herbert Strutt Charity through the Herbert Strutt Charity Committee.
- 2 The annual Net Income of the Charity is distributed by the Committee in accordance with these Grant Conditions.
- 3 The distributions shall be for the General Benefit of the Inhabitants of Belper in the following ways
  - 5.3.1.1 The relief of the aged, impotent and poor
  - 5.2.1.2 The relief of distress and sickness
  - 5.2.1.3 In such other ways as the Committee thinks fit
- 4 To apply for a Grant the application form must be completed **IN FULL** giving as much detail about the proposal as possible. A separate sheet may be attached.
- 5 Completed application forms should be marked 'Herbert Strutt Charity' and returned to the Town Clerk, Belper Town Council, The Butts, Belper, Derbyshire DE56 1HX or emailed to [clerk@belpertowncouncil.gov.uk](mailto:clerk@belpertowncouncil.gov.uk). Applications from individuals will be dealt with in the strictest confidence.
- 6 The Town Clerk has delegated power to review applications, request further information and give advice. In addition, the Town Clerk has power to consider an application as urgent and arrange an Urgent meeting of the Committee to consider the application.
- 7 The Clerk will refer applications to the Committee for decision. Applicants will be notified of the date and time of the meeting. Applications from individuals will be considered in the Confidential section of the meeting and the press and public will be excluded for these deliberations. The decision will normally be made known to the Applicant in writing within seven days.
- 8 The Committee will not normally
  - give more than one grant in any one year to the same individual
  - award a grant to be used toward the relief of costs or expenses arising from credit or a debt
  - award a grant where other sources of funding have not been tried or exhausted

## **HERBERT STRUTT CHARITY GRANT CONDITIONS - ORGANISATIONS**

1 Belper Town Council manages and administers the Herbert Strutt Charity through the Herbert Strutt Charity Committee.

2 The annual Net Income of the Charity is distributed by the Committee in accordance with these Grant Conditions.

3 The distributions shall be for the General Benefit of the Inhabitants of Belper in the following ways

5.3.1.1 The relief of the aged, impotent and poor

5.2.1.2 The relief of distress and sickness

5.2.1.3 The provision and support of facilities for recreation and leisure time occupation

5.2.1.4 The provision and support of educational facilities

5.2.1.5 In such other ways as the Committee thinks fit

4 The Committee may apply the income either directly or by way of donations or subscriptions to institutions or organisations which apply or undertake to apply whole or part of their income in accordance with clause 3 above

5 To apply for a Grant the application form must be completed **IN FULL** giving as much detail about the proposal as possible. A separate sheet may be attached.

6 Completed application forms should be marked 'Herbert Strutt Charity' and returned to the Town Clerk, Belper Town Council, The Butts, Belper, Derbyshire DE56 1HX or emailed to [clerk@belpertowncouncil.gov.uk](mailto:clerk@belpertowncouncil.gov.uk).

7 The maximum amount of Grant to be given to any one organisation or project is £x. The Committee may exceed this maximum if exceptional circumstances are shown.

8 The Town Clerk has delegated power to review applications, request further information and give advice. In addition, the Town Clerk has power to consider an application as urgent and arrange an Urgent meeting of the Committee to consider the application.

9 The Clerk will refer applications to the Committee for decision. Applicants will be notified of the date and time of the meeting and be given an opportunity to address the meeting on the application. The decision will normally be made known to the Applicant in writing within seven days.

- 10 Preference will be given to applications that
- demonstrate that match funding is available, either through its own resources or other grants
  - demonstrate that the grant will be used within 6 months of the application date

- 10 The Committee will not normally
- support applications from organisations which then go on to make donations to other charities and groups
  - give more than one grant in any one year to the same organisation
  - give a grant to an organisation that has received a grant from Belper Town Council in the same financial year
  - give a grant for the repair or maintenance to the fabric of a building

11 All organisations MUST recognise the Herbert Strutt Charity funding in their literature and publicity.