

Committee General Purposes Committee	Date 25th March 2009	Classification Unrestricted	Report No.	Agenda Item No.
Report of: Service Head, Democratic Services Originating Officer(s): John S. Williams		Title: CHARITY OF THOMAS DICKINSON – PROPOSED WINDING-UP Ward(s) affected: All		

SUMMARY

1. The Charity of Thomas Dickinson was set up in 1852 for the benefit of the poor in the Metropolitan Borough of Stepney, preference being given to members of the Church of England. The trustees of the charity are three ex-officio trustees (the Rector of St Dunstan and All Saints Stepney, the Rector of St George-in-the-East with St Paul and the Vicar of Christchurch with All Saints Spitalfields); plus three trustees nominated by the Council.
2. In recent years the work of the charity has fallen into neglect and the last recorded meeting of the trustees was on 24 May 2002. Because of this, and fact that there are other charities which provide similar benefit in the same area, the trustees have resolved to begin the process of winding up the charity and transferring its assets to other charities. The Clerk to the Trustees has written to the Council to ask whether the Council has any objection to this proposal. The Council has not appointed any trustees to the charity in the current municipal year and for a number of years prior to 2002 attendance by the Council-appointed trustees was sporadic.
3. The legal context and implications of the proposal to wind up the charity are set out in the comments of the Assistant Chief Executive (Legal Services) overleaf.

RECOMMENDATIONS

4. That the Committee indicate on behalf of the Council whether they have any objection to the proposed winding-up of the Charity of Thomas Dickinson as set out in the report.
5. That, if the Committee does not object to the proposal, the Clerk to the Trustees be informed of this and be asked to report back in due course to the Assistant Chief Executive (Legal Services) on the outcome of the winding-up and the transfer of the charity's assets.

BACKGROUND

5. The Charity of Thomas Dickinson was set up in 1852 for the benefit of the poor in the Metropolitan Borough of Stepney, preference being given to members of the Church of England. Under the Charity Commissioners' Scheme dated 24 November 1959 and amended 12 August 1982 the trustees consist of 'six competent persons':- three ex-officio trustees (the Rector of St Dunstan and All Saints Stepney, the Rector of St George-in-the-East with St Paul and the Vicar of Christchurch with All Saints Spitalfields); plus three trustees nominated by the London Borough of Tower Hamlets.
6. The Council previously administered the charity and until 1989 provided a clerk. After that date the appointment by the Council of trustees, and attendance by those trustees, became sporadic. There are no current appointments of Council representatives to the charity. After 1989 the Charity Commission was asked to confirm that the charity could operate with a quorum of just the ex-officio trustees and for some years the charity continued its work on this basis but following changes of clergy in the area its work fell into neglect.
7. An attempt was made in 2001 to revive the work of the charity but the last recorded meeting of the trustees was on 24 May 2002. Because of the lack of activity, and in view of the fact that there are other charities which provide similar benefits in the same area, it has been suggested that the charity be wound up and its assets transferred to other charities. A meeting was therefore called by the existing trustees on 13 January 2009 to make a formal decision to wind up the charity and to put into place the actions necessary to achieve this. Mr John Kitchen was appointed to act as Clerk to the Trustees to organise the winding up.
8. Mr Kitchen has now written to the Council to ask whether the authority has any objection to the proposal to wind it up. The proposal agreed at the recent meeting of the trustees is that the assets of the charity (estimated currently at just over £14,000) would be divided equally between the three parishes for them to allocate to other charities working within the local area for the same purpose.
9. The Committee is asked to indicate on behalf of the Council whether the proposal is acceptable to the authority.

CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

10. The Charity of Thomas Dickinson has not been active for a number of years and the Council has not currently appointed trustees to the Charity. A Clerk to the Trustees has been appointed with a view to winding up the charity. In doing so the Clerk will be obliged to liaise with the Charity Commissioners to ensure that the procedures for winding up and transferring the charity's assets are in accordance with the Commissioners' guidance and the purpose set out in the agreed scheme for the charity itself.

COMMENTS OF THE CHIEF FINANCIAL OFFICER

11. There are no implications for the Council's own budgets arising from this report. The assets of the Charity of Thomas Dickinson would, if the winding up of the charity is agreed, be divided equally between the three parishes in the area for allocation to other charities providing similar support.

IMPLICATIONS FOR ONE TOWER HAMLETS

12. There are no immediate implications for One Tower Hamlets arising from this report. The funds held by the Charity of Thomas Dickinson will be passed to other charities which will continue to provide similar services within the area.

ANTI POVERTY IMPLICATIONS

13. There are no immediate anti-poverty implications arising from this report. The funds held by the Charity of Thomas Dickinson will be passed to other charities which will continue to provide similar services within the area.

SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

14. There are no immediate SAGE implications arising from this report.

LOCAL GOVERNMENT ACT, 2000 (SECTION 97) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

**Name and telephone number of
holder and address where open
to inspection**

Letter from Clerk to the Trustees, 17.1.09

John S. Williams
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Thomas Dickinson Charity – appointments file