

King George's Field Trust Charity Board Overview

1. Background to the Charity

The King George's Fields Trust Charity has responsibility for both the King George's Fields Mile End Charity and the Tredegar Square Charity:

- The King George's Fields charity is registered with the Charity Commission as King George's Field, Mile End Charity, registered number 1077859 and has an annual turnover in excess of £1,000,000.
- The Tredegar Square charity is registered with the Charity Commission as King George's Field – Stepney (Tredegar Square Bow), registered number 1088999 and has an annual turnover of approximately £10,000 per annum. Funds are used to upkeep the maintenance of Tredegar Square Gardens for the use and enjoyment of the public. The land associated with this charity is limited to Tredegar Square Gardens in Bow. The Tredegar Square charity is administered via the KGFT board.

The Charity Commissioners for England and Wales, on 28 February 2000, approved a specific scheme for the administration of the King George's Field Mile End Charity ("the Scheme"). The Scheme deals with two categories of land under the Schedule:

Part 1 of the Schedule consists of parks lands as follows:

- Stepney Green Park and nearby lands, namely Belgrave Road open space and White Horse Road Park
- Stepping Stones Farm
- Most of Mile End Park

Part 2 of the Schedule to the Scheme consists of:

- 10 shop units situated beneath the 'Green Bridge' at Mile End in Stepney

The purpose of the Charity is to preserve the Park Lands in perpetuity as a memorial to King George V under the provision of the King George's Fields Foundation. The 1965 Scheme, Page 30, which established the Foundation gave its purpose as "to promote and assist in the establishment and to promote the preservation throughout the United Kingdom of Playing Fields for the use and enjoyment of the people..."

Additionally, the Trustees of the Charity may "apply the land to such charitable purposes as are set out in the Recreational Charities Act 1958". The 1958 Act has since been replaced by the Charities Act.

2. List of Assets

Property Address	Registered Proprietor	Asset Notes
Mile End Stadium	LBTH as trustee of KGFT	Council Asset. No economic benefits to Trust.
Mile End Park Leisure Centre	LBTH as trustee of KGFT	Council Asset. No economic benefits to Trust.
Mile End Stadium Car Park	LBTH as trustee of KGFT	Council Asset. No economic benefit to Trust.
Urban Gym, Urban Adventure Base and Connexions Centre	LBTH as trustee of KGFT	Trust Asset - Economic Benefit to Trust.
Stepping Stones Farm	LBTH	Trust Asset.
Office adjacent to 383 Mile End Rd	LBTH as trustee of KGFT	Trust Asset. Economic Benefits to Trust.
Green Bridge Shop Units 383 - 387, 389 and 391 Mile End Rd	LBTH as trustee of KGFT	Trust Asset. Economic Benefits to Trust, Registered owner is Trust.
Green Bridge Shop Unit 552, 554, 556 and 558 Mile End Rd	LBTH	Trust Asset. Economic Benefits to Trust.
Mile End Park Arts Pavilion and Ecology Pavilions	LBTH	Trust Asset. Economic Benefits to Trust.
Haverfield Road Car Park		Trust Asset - Economic Benefits go to trust (Parking Income)
Stepney Green Park and Open Space (including AstroTurf)		Trust Asset. Economic Benefits to Trust.
White Horse Rd Park and Adventure Playground		Trust Asset.
Belgrave Open Space		Trust Asset.

3. Trustee Structure and Role

The origin and objectives of the King George's Fields Trust Charities – responsibility for both the King George's Fields Mile End Charity and the Tredegar Square Charity are vested in the Board - and the Board's powers, duties and responsibilities as Trustees to both are set out in the Guidance notes (Appendix A).

The Council as sole Trustee of the Charity is empowered to delegate its trustee function to a committee consisting of any two or more members, provided that the Council exercises reasonable supervision of the committee.

This is an Executive Body. The role of the Board is as follows:

- To administer the affairs of the King George's Field, Mile End charity, and the King George's Field – Stepney (Tredegar Square, Bow) charity and discharge all duties of the Council as sole trustee of these Charities.

- To administer the affairs and discharge the duties of trustee of such other Charities controlled by the Council as the Cabinet might authorise by resolution.

The Board is made up of the Mayor and all Members of the Cabinet.

Board Members:

Councillor Sabina Akhtar (Chair)
Mayor John Biggs (Member)
Councillor Asma Begum (Member)
Councillor Rachel Blake (Member)
Councillor Danny Hassell (Member)
Councillor Sirajul Islam (Member)
Councillor Candida Ronald (Member)
Councillor Motin Uz-Zaman (Member)
Councillor Mufeedah Bustin (Member)
Councillor Asma Islam (Member)
Councillor Kahar Chowdhury (Member)

The quorum is three Members of the Board.

The Board meets on a quarterly basis with Board meetings administered by Democratic Services.

Public Engagement at King George's Field Charity Board

The main focus of King George's Field Charity Board is as a decision-making body. However, there is an opportunity for the public to contribute through making submissions that specifically relate to the reports set out on the agenda.

Members of the public may make written submissions in any form (for example, Petitions, letters, written questions) to the Clerk to King George's Field Charity Board by 5pm the day before the meeting.

4. Trustee role and responsibilities

The below is taken from the [government's website](#). More details of the six main duties of a trustee can be found in Section 3 of Appendix A (LBTH Guidance for Councillor's Appointed to the King George's Field Charity Board).

As trustees, you must:

- always act in the best interests of the charity – you must not let your personal interests, views or prejudices affect your conduct as a trustee
- act reasonably and responsibly in all matters relating to your charity – act with as much care as if you were dealing with your own affairs, taking advice if you need it
- only use your charity's income and property for the purposes set out in its governing document
- make decisions in line with good practice and the rules set by your charity's governing document, including excluding any trustee who has a conflict of interest from discussions or decision-making on the matter

Appendix A

LONDON BOROUGH OF TOWER HAMLETS GUIDANCE FOR COUNCILLORS APPOINTED TO THE KING GEORGE'S FIELD CHARITY BOARD

1. Introduction

- 1.1 The Council is the Trustee of the Mile End Charity pursuant to the Governing Document which is a Scheme dated 28th February 2000. The Council is also the Trustee for Tredegar Square with the Trust deeds. The Council's Constitution establishes the King George's Fields Charity Board ('the Board') to administer the charities affairs and discharge the Council's trustee functions.
- 1.2 This document sets out guidance for the Mayor and Councillors ('Board Member') who are appointed to serve on the Board.

2. The Governing Document

- 2.1 On 28th February 2000, the Charity Commissioners for England and Wales approved a specific scheme for the administration of the King George's Field Mile End Charity ("the Scheme"). A copy of the 2000 Scheme is included as Appendix 1. The Scheme expressly provides that it replaces the existing trusts of the charity.
- 2.2 Under the 2000 Scheme, the Council is the trustee of the charity. Article 7 of the Scheme empowers the Council to delegate its trustee function to a committee consisting of any two or more members, provided that the Council exercises reasonable supervision over the committee. The committee must "promptly" report their acts and proceedings to the Council. The Council's Constitution establishes the Board to administer the charities affairs and discharge the Council's trustee functions.
- 2.3 The purpose of the charity is to preserve the Park Lands in perpetuity as a memorial to King George V under the provisions of the King George's Fields Foundation. The 1965 Scheme which established the Foundation gave its purpose as "to promote and to assist in the establishment and to promote the preservation throughout the United Kingdom of Playing Fields for the use and enjoyment of the people..." Additionally, the trustees may "apply the land to such charitable purposes as are set out in the Recreational Charities Act 1958
- 2.4 The Recreational Charities Act 1958 has now been repealed and is now replaced by the Charities Act 2011, specifically section 5.
- 2.5 The Scheme deals with 2 categories of land as identified in Parts 1 and 2 of the Schedule. The first referred to in Part 1 of the Schedule consists of park lands identified in plan KGF2 of which only a very poor copy has been, but so far as it can be read, the Park Lands covered by KGF2 are as follows:
 - Stepney Green Park and nearby lands, namely Belgrave Road open space and White Horse Road Park
 - Stepping Stones Farm
 - Most of Mile End Park
- 2.6 Under Article 5(1)(a) the Scheme in addition to any other powers that the trustees have, it gives the Trustees the ability to "let part or parts of the land ... to Third Parties on leases not exceeding 10 years to provide to the public, recreational facilities or such services reasonably ancillary to recreation as are

mentioned in Article 7 of the Greater London Parks and Open Spaces Order 1967”

- 2.7 The second category of land, referred to in Part 2 of the Schedule to the Scheme consists of “10 shop units situated beneath the ‘Green Bridge’ at Mile End in Stepney, in the London Borough of Tower Hamlets, on north and south sides of Mile End Road, just west of its junction with Burdett Road and Grove Road. The Council, as trustee, is given specific powers in relation to these shop units, to let them and there are no restrictions as to terms. The current lettings are dealt with in more detail in paragraph 7 of this report.
- 2.8 In summary, the Council is to keep the Park Lands in perpetuity as a memorial to King George V and may use the land:
- For playing fields named and sign-posted as “King George’s Fields”.
 - For facilities for recreation or other leisure-time occupation, provided that it is in the interests of social welfare and for the public benefit.
 - For such charitable purposes as set out in section 5 of the Charities Act 2011, as follows:
 - (1) It is charitable (and is to be treated as always having been charitable) to provide, or assist in the provision of, facilities for-
 - (a) recreation, or
 - (b) other leisure-time occupation,if the facilities are provided in the interests of social welfare.
 - (2) The requirement that the facilities are provided in the interests of social welfare cannot be satisfied if the basic conditions are not met.
 - (3) The basic conditions are—
 - (a) that the facilities are provided with the object of improving the conditions of life for the persons for whom the facilities are primarily intended, and
 - (b) that—
 - (i) those persons have need of the facilities because of their youth, age, infirmity or disability, poverty, or social and economic circumstances, or
 - (ii) the facilities are to be available to members of the public at large or to male, or to female, members of the public at large.
 - (4) Subsection (1) applies in particular to
 - (a) the provision of facilities at village halls, community centres and women’s institutes, and
 - (b) the provision and maintenance of grounds and buildings to be used for purposes of recreation or leisure-time occupation, and extends to the provision of facilities for those purposes by the organising of any activity. But this is subject to the requirement that the facilities are provided in the interests of social welfare.
 - (5) Nothing in this section is to be treated as derogating from the public benefit requirement.

3. A Trustee’s 6 main Duties

(1) Ensure the charity is carrying out its purposes for the public benefit

You must make sure that the charity is carrying out the purposes for which it is set up, and no other purpose. This means you should:

- ensure you understand the charity’s purposes as set out in its governing document

- plan what your charity will do, and what you want it to achieve
- be able to explain how all of the charity's activities are intended to further or support its purposes
- understand how the charity benefits the public by carrying out its purposes
- spending charity funds on the wrong purposes is a very serious matter; in some cases trustees may have to reimburse the charity personally.

(2) Comply with your charity's governing document and the law

You and your co-trustees must:

- make sure that the charity complies with its governing document
- comply with charity law requirements and other laws that apply to your charity

You should take reasonable steps to find out about legal requirements, for example by reading relevant guidance or taking appropriate advice when you need to.

Registered charities must keep their details on the register up to date and ensure they send the right financial and other information to the commission in their annual return or annual update.

(3) Act in your charity's best interests

You must:

- do what you and your co-trustees (and no one else) decide will best enable the charity to carry out its purposes
- with your co-trustees, make balanced and adequately informed decisions, thinking about the long term as well as the short term
- avoid putting yourself in a position where your duty to your charity conflicts with your personal interests or loyalty to any other person or body
- not receive any benefit from the charity unless it's properly authorised and is clearly in the charity's interests; this also includes anyone who is financially connected to you, such as a partner, dependent child or business partner

(4) Manage your charity's resources responsibly

You must act responsibly, reasonably and honestly. This is sometimes called the duty of prudence. Prudence is about exercising sound judgement. You and your co-trustees must:

- make sure the charity's assets are only used to support or carry out its purposes
- not take inappropriate risks with the charity's assets or reputation
- not over-commit the charity
- take special care when investing or borrowing
- comply with any restrictions on spending funds

You should put appropriate procedures and safeguards in place and take reasonable steps to ensure that these are followed. Otherwise, you risk making the charity vulnerable to fraud or theft, or other kinds of abuse, and being in breach of your duty.

(5) Act with reasonable care and skill

As someone responsible for governing a charity, you:

- must use reasonable care and skill, making use of your skills and experience and taking appropriate advice when necessary
- should give enough time, thought and energy to your role, for example by preparing for, attending and actively participating in all trustees' meetings

(6) Ensure your charity is accountable

You must comply with statutory accounting and reporting requirements. You should also:

- be able to demonstrate that your charity is complying with the law, well run and effective
- ensure appropriate accountability to members, if your charity has a membership separate from the trustees
- ensure accountability within the charity, particularly where you delegate responsibility for particular tasks or decisions to staff or volunteers

4. Making Decisions

4.1 As a trustee, you can take professional advice to help you make decisions on the charity's behalf. But you and your fellow trustees are jointly responsible for the decisions you make.

4.2 When making a decision, you must:

- act within your powers
- act in good faith, and only in your charity's interests
- make sure you are sufficiently informed, taking any advice you need
- take account of all relevant factors
- ignore any irrelevant factors
- manage conflicts of interest and loyalty, i.e. could your decision-making be influenced by your personal circumstances, or your involvement with another organisation
- make decisions that are within the range of decisions that a reasonable trustee body could make in the circumstances

5. Legal Advice

5.1 A guide to the law as it affects Board Members is attached as **Appendix B**.

APPENDIX B

SERVICE ON CHARITIES: A GUIDE TO THE LAW

This advice is for Board Members. It sets out some of the most important responsibilities and requirements relating to service on the Board. If a Board Member has a query then they should consult the Monitoring Officer.

General

1. To be a charity an organisation must operate for one of the following charitable purposes and be able to demonstrate that its aims are for the public benefit:
 - the prevention or relief of poverty;
 - the advancement of education;
 - the advancement of religion;
 - the advancement of health or the saving of lives;
 - the advancement of citizenship or community development;
 - the advancement of the arts, culture, heritage or science;
 - the advancement of amateur sport;
 - the advancement of human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity;
 - the advancement of environmental protection or improvement;
 - the relief of those in need, by reason of youth, age, ill-health, disability, financial hardship or other disadvantages;
 - the advancement of animal welfare;
 - the promotion of the efficiency of the armed forces of the Crown or of the police, fire and rescue services or ambulance services;
 - other purposes recognised as charitable under existing law and any new purposes which are similar to another prescribed purpose.

14. A charitable organisation must operate for the public benefit and have exclusively charitable purposes. An organisation that operates for political purposes does not qualify for charitable status.
2. To register as a charity the organisation must submit its governing document (constitution or rules, trust deed, or Memorandum and Articles of Association – depending on whether it is an unincorporated association, trust or limited company) plus any other required documents to the Charity Commissioners for approval. If they are satisfied that the organisation is charitable it will be registered as such.
3. Those who are responsible for the control and administration of a charity are referred to as charity trustees, and will have those obligations even where the charity has the legal form of a company limited by guarantee. Trustees of a charity retain personal liability, and can only delegate to the extent that the governing document authorises them so to do.
4. Specific guidance for those serving on charitable organisations is available from the Charity Commission.

Trustees' Duties

5. Trustees have the following duties:
 - (1) Trustees must take care to act in accordance with the governing document and to protect the charity's assets. They are also responsible for compliance with the Charities Acts, (and as relevant the Trustee Acts) and should note the particular requirements of the applicable Acts in respect of land transactions.
 - (2) Trustees must ensure the charity is carrying out its purposes for the public benefit, must always act in the charity's best interests and act with reasonable care and skill.
 - (3) Generally speaking, trustees must not profit from their position. They cannot receive remuneration or any other personal benefit without the sanction of the Charity Commission. They must also perform their duty with the standard of care which an ordinary, prudent business person would show. Higher standards are required of professionals, and in relation to investment matters.
 - (4) Trustees must ensure that the information relating to the charity and trustees is registered with the Charity Commissioners and that annual accounts, reports and returns are completed and sent where this is required.
 - (5) If charitable income exceeds £10,000, the letters, advertisements, cheques etc. must bear a statement that the organisation is a registered charity.
 - (6) Trustees are under a duty to ensure compliance with all relevant legislation and other regulators (if any) which govern the activities of the charity.
 - (7) Trustees have a duty of care to their charity if they work with vulnerable groups including children and will need to take the necessary steps to safeguard and take responsibility for them.

Trustees' Personal Liability

6. If in doubt, always consult the Charity Commission. A trustee who does so can avoid personal liability for breach of trust if he/she acts in accordance with the advice given.
7. Liabilities may arise in the following ways:
 - (1) Generally, a trustee incurs personal liability if he/she:
 - acts outside the scope of the governing document
 - falls below the required standard of care
 - acts otherwise than in the best interests of the charity, in a way which causes loss to the charity
 - makes a personal profit from the charity's assets.
 - (2) In such circumstances the trustee will incur personal liability for losses incurred and/or for personal gain.
 - (3) Trustees can be personally liable to third parties because, unlike a company, a trust or unincorporated association has no separate identity from the trustees. The governing document will normally provide for trustees to be given an

indemnity from the charity's assets, provided they act properly in incurring the liability. Trustees remain personally liable for their own acts and defaults once they have retired. If they have entered into any ongoing contracts on behalf of the charity they should seek an indemnity from their successors. If the charity is a company, the trustees will be protected from liabilities incurred in the day-to-day running of the charity in the normal course but will be personally liable if they commit a breach of trust (see (1) above).

- (4) Trustees may be liable to fines if they do not comply with the duty to make returns etc.

Indemnities

8. An indemnity can be given from the charity's assets provided the trustee has acted properly and within his/her powers. Trustees may take out insurance to protect themselves against personal liability but not for criminal acts, fraud etc. The premiums can be paid out of the charitable funds so long as there is no express prohibition in the governing document, the trustees observe their duty of care, the insurance is in the best interests of the charity and the cost is reasonable.