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| <b>Committee(s):</b><br>Community & Children's Services  | <b>Date:</b>        |
| <b>Subject:</b><br>Relief in Need trusts of certain sums held by Community & Children's Services | <b>Public</b>       |
| <b>Report of:</b><br>Comptroller and City Solicitor  | <b>For Decision</b> |
| <b>Report author:</b><br>Karen McHugh  |                     |

### Summary

The City of London Corporation (“the City Corporation”) holds a small sum (£2196.87) on behalf of a number of beneficiaries who cannot be traced. The sums are a mix of charity and social care funds, and the City Corporation holds the monies in its local authority capacity respectively as ‘de facto’ charity trustee of the charity funds, and as ‘de facto’ trustee of the social care funds. The Charity Commission has confirmed that distribution of these funds may take place following simple resolution that they are held in trust by the City Corporation as Relief in Need funds.

Your officers recommend that the funds be so declared and applied by way of the purchase of food vouchers and distributed to those in need by the Department of Community and Children’s Services.

### Recommendation(s)

Members of the Community and Children’s Services Committee (exercising the City’s functions as trustee of these charity and social care funds in the sum of £2196.87) are asked to endorse your officers’ recommendation and:

1. declare that the funds concerned are Relief in Need funds (both capital and income being fully expendable); and
2. agree that these funds may be properly applied by the purchase of food vouchers and distributed to needy persons at the Director of Community and Children’s Services’ discretion operating within his existing delegated authority;

### Main Report

#### Background

1. The City of London Corporation holds a small sum (£2196.87) on behalf of a number of beneficiaries who cannot be traced. The sums are from donation sources arising prior to the 1990s, originally donated to the City of London Corporation by charities, and/or individuals or other organisations for social services purposes to meet the social needs of the beneficiaries concerned. These persons are (or are presumed) deceased, and to have died intestate.

## **Current Position**

2. The City of London Corporation is the “de facto” trustee of these mixed charity/social care funds. Your Committee exercises the City’s functions in its local authority capacity as trustee of these funds.

## **Proposals**

3. It is considered that the best use of the funds is for proper distribution to needy individuals in accordance with the fundamental intention for which the funds were provided. The Charity Commission has confirmed that the City may declare Relief in Need charitable trusts over the funds, capital and income being fully expendable, and it is considered that it is in the best interests of the trusts then declared to use the monies to purchase food vouchers to be distributed to needy individuals in the discretion of the Director of Community and Children’s Services. A record will be kept of the recipients and the distributions to each in accordance with usual local authority requirements.
4. Your Committee is asked to endorse your officers’ recommendation as above.

## **Corporate & Strategic Implications**

5. The distribution of the funds as recommended will support the Department of Community and Children's Services to deliver its Business Plan and strategic commitments to support vulnerable children and adults resident in the City of London, and homeless people at risk on the City's Streets.

## **Implications**

6. The proposal would reduce costs associated with the on-going administration of holding these small individual sums of money
7. It would provide a small amount of additional support of those in need and ensure that these funds are properly distributed.

## **Conclusion**

8. Your officers recommend that the sum of £2196.87 held by the City Corporation for beneficiaries who cannot now be traced be distributed in accordance with the above arrangements.

## **Appendices**

None

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