

DARTFORD BOROUGH COUNCIL

ANNUAL MEETING

STANDING COMMITTEES, BOARDS AND PANELS OF THE COUNCIL

KIDD LEGACY COMMITTEE

[REPORTING TO THE COUNCIL ACTING AS CHARITABLE TRUSTEE OF
THE KIDD LEGACY]

Chairman:	Councillor
Vice-Chairman:	Councillor
*Membership:	Councillors

1. THE CHARITY

By the Indenture (Deed of Gift) dated 28 September 1903, the Kidd Legacy land (cross hatched on the plan) was bequeathed to the Council on charitable trust by Colonel Charles Newman Kidd.

2. THE OBJECT

The Deed of Gift prescribes that the Kidd Legacy land will be 'appropriated and used in perpetuity as a public recreation ground and for no other purpose whatsoever'.

3. THE CHARITABLE TRUSTEE

The Dartford Borough Council as sole trustee has overall control of the Charity and its property and funds in accordance with Section 139 Local Government Act 1972 and the Charities Act 1993 and any other enabling rules and regulations made thereunder.

4. THE GUIDING PRINCIPLES

The Charitable Trustee will:

- (a) act reasonably i.e. decisions should be within the range of decisions which a reasonable body of trustees could have made;
- (b) act within the powers conferred upon it (e.g. ensuring that the Kidd Legacy land is used only for the limited purposes authorised by the Deed of Gift) and the established rules for procedures for dealing with issues of the kind under consideration;
- (c) act in good faith;
- (d) adequately inform itself in order to make the decision in question, including a comprehensive risk analysis and where necessary, make further enquiries and where appropriate, consider legal and other professional advice;

- (e) not take into consideration any factors which it is not proper for it to take into account;
- (f) consider any factors which it should take into account;
- (g) deal with conflicts of interest such as when the Council acting as local authority, contracts with the Charity.

TERMS OF REFERENCE:

DELEGATED FUNCTIONS:

1. To be the body, which, by delegation from the Charitable Trustee, has the immediate responsibility to protect and further the interests of the Charity, in particular, safeguarding the Object and the Charity's property, funds and the beneficiaries' interests in accordance with the Guiding Principles.
2. To ensure that the accounts and the general administration of the Charity complies with statutory regulations.
3. To consider reports on contractual matters and to recommend accordingly.
4. To take professional advice, including external advice.
5. To do anything else within the law which promotes or helps to promote the Object or which is within the powers of the Charitable Trustee in connection with the Charity.
6. To report annually to the Charitable Trustee, on the affairs of the Charity.