

From: Eric Hotson – Cabinet Member for Corporate and Democratic Services

To: **Selection and Member Services Committee – 22 March 2018**

Subject: The Molyneux Almshouses Charity

Classification: **Unrestricted**

Summary:

The Molyneux Almshouses Trust is based in Rusthall near Tunbridge Wells and provides amenity and unsupported housing for older residents living in Tunbridge Wells. The effect of new Regulations is to reduce the number of Local Authority appointments to the Trust. The Chair of the Trustees has written to the County Council asking whether it would be content to cease to be represented on the Trust. This report recommends that this request is agreed.

1. Introduction

1.1 The Molyneux Almshouses Trust is based in Rusthall near Tunbridge Wells and provides amenity and unsupported housing for older residents living in Tunbridge Wells.

1.2 *The Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017* came into force in November 2017, overriding the Charitable Scheme and specifying that Local Authority representation cannot be more than 24% of the Trustees. There are currently 9 Trustees, which means that the overall figure of Local Authority Trustees must be reduced from 4 to 2. This must happen by 15 May 2018.

1.3 The existing Charitable Scheme provides for 1 Trustee from Kent County Council and 3 from Tunbridge Wells BC. According to our records, the County Council has never been represented by an elected Member, although it is possible that there may have been an informal arrangement in the past, with the Local Member being approached by the Trust.

1.4 Kent County Council is currently represented by Ms Carolyn Cohen, who is not a KCC Member. The wish of the Trust is that Ms Cohen will continue as a Trustee in another capacity, whilst the appointments made by the other two Councils (who are both represented by an elected Member) should continue.

1.5 The Chair of the Trustees has explained that the Trust's Scheme does not give any local authority voting rights as such, as the Trustees take decisions in their own name and vote accordingly as individual Trustees.

1.6 The Trust has the duty to decide its new scheme by 15 May 2018 if the Local Authorities concerned have not reached agreement by that time.

2. Recommendations:

The Committee is invited to agree that the Molyneux Almshouses Trust be advised that Kent County Council agrees to the revision of its Charitable Scheme so that the two Local Authority representatives are both from Tunbridge Wells BC.

Background Documents:

The Regulation of Social Housing (Influence of Local Authorities (England) Regulations 2017

Circular Letter to the Chairs of Housing Charities from Julian Ashby, Chair of the HCA Regulation Committee (dated 24 November 2017)

Contact details

Andrew Tait: Democratic Services Officer

Ext: 03000 416749

Email: andrew.tait@kent.gov.uk