**THE TRUST OF MRS SARAH ANNE LEES**

**BRIEFING FOR UPDATE AT CHARITABLE TRUST COMMITTEE ("CTC") MEETING TO BE HELD ON 17 MARCH 2025**

**Background/Reminder**

This Charitable Trust originally owned a property at 146 Werneth Hall Road. Given the state of the property and the anachronistic nature of the objects, a scheme was obtained from the Charity Commission on 11 September 2019 which enabled (a) a sale of this Property and (b) a change of the objects of the Charity. The objects of the Charity are now:

***"The object of the charity is to advance the education of the public by grant funding charities offering training and learning in the life skills necessary to manage financial hardship, social or economic deprivation, social exclusion or poor mental or physical health"***

Resolutions passed by CTC at meeting on 5 March 2024

"*IT IS HEREBY RESOLVED that in respect of the charitable trust known as "The Sarah Anne Lees Charitable Trust" ("the Charity") an application to the Charity Commission shall be made to seek for authority for the Charity to spend up to 100% of its capital funds (which is permanent endowment) via donations and/or (on application)grant funding, to appropriate bodies or organisations that provide assistance or services in keeping with the objects of the charity.*

*IT IS FURTHER RESOLVED that Oldham Borough Council Legal Services are instructed by the Charitable Trust Committee to apply for this authority on behalf of the Charity and to submit a Statement of Reasons as per the Report to the Charitable Trust Committee dated 21 February 2024*"

**UPDATE FOR CTC at 17 March 2025 meeting**

The Charity Commission have issued an authority by letter on 11 March 2025 in the following terms ("our underlining"):

"This letter may be taken as the Commission's notification that it concurs with the trustees' resolution under s.282 of the Charities Act 2011. The resolution is effective from the date of this letter. This means that from today the resolution becomes part of the trusts of the charity and the trustees can spend the capital subject to the resolution as if it were income. In this case the resolution applies to all of the permanent endowment. The resolution and this concurrence should be retained as part of the records of the charity."

As stated in the Charity Commission's letter, it is important that the resolutions passed by the CTC on 5 March 2024 (referred to in the Background) and this "concurrence" or authority from the Charity Commission (which has been forwarded in full to Constitutional Services) are retained as part of the records of the Charity.

It must be emphasised that the CTC needs actively to consider now how the capital monies (and accrued income) should be spent taking into account the revised objects of the Charity following the 2019 Scheme and as set out above and provide instructions to the Finance Team of Oldham Borough Council in connection with decisions made. Careful records need to be kept of the decisions made and the reasons for making them which need to be recorded in the form of CTC resolutions.

**Legal Services, Oldham Borough Council**

**11 March 2025**