

**Minutes of an Ordinary Meeting of the Trustees of the
Michael and Christine Foulger Charitable Trust
Monday 23rd September 2024 20:00**

Present:

Mary-Anne Burch, John Elldred, Mark Hunter, Carol Parsons, and Melvyn Wooding.

2024.16 Welcome from the Chair and Apologies for absence.

John Elldred was elected as the Chair of the meeting and welcomed everyone to the meeting and asked for apologies – Kaye Pentland.

2024.17 To approve the minutes of the Special Meeting held on 17th April 2024.

The minutes of the [Meeting](#) held on 17th April 2024 had been circulated previously. The Trustees agreed their unanimous approval and the meeting Chair was **AUTHORISED** to sign the minutes.

2024.18 Report from the Clerk.

In May, the building insurance was renewed (£377.31), and the windows and gutters were cleaned (£36).

In June, a boiler burner seal was replaced and the annual Landlord's Gas Certificate was issued (£110). The Land Registry was notified to transfer the title to the Official Custodian of Charities (£45).

In July, a keysafe was added to the property (with the tenants' consent), to allow repairs to be undertaken when the tenants were not present (£40).

In August, the windows and gutters were cleaned (£36).

The accounts showed a balance of £204,215.91, down £1,092.18 on the start of the year. Total grants approved to date are £157,848.53 (adjusted for loan repayment = £117,848.53).

2024.19 To consider and agree a grant application.

Carol Parsons did not take part or vote in this item.

The meeting reviewed the [GA-2024-03](#) Parish Council application request for £650.00 of £1,295.00 for works to restore the 305th BG(H) memorial.

The Trustees **RESOLVED** to grant the application.

2024.20 To consider a request from the Letting Agent for Legionella checking.

The letting agent had requested instructions as to whether to proceed with Legionella checking at 24 Duchy Close. This was a non-statutory test in domestic lettings, but in the event of a reported case of Legionella, the landlord may have to demonstrate how they had fulfilled their general legal duty of care.

The proposed Legionella Risk Assessment is done every two years, once done, the contractor issues an LRA certificate. This involves checking -

- Cold water temperature (must be between 5 - 20 degrees C)
- Hot water temperature (must be above 60 degrees C)
- Presence of any mould or rust, sediment, etc , around or in any of the taps in the house
- Properties with combined boilers get checks for any stagnant water in the attics

- If there is stagnant water, is it clean and free from any debris
- For any dead leg pipe works at the property, etc.

The service is offered for £72.

The Trustees **RESOLVED** to agree to the Letting Agent to undertaking the checking.

2024.21 To receive an update on changes to the Educational Foundation.

The Educational Foundation (EF), an unincorporated charity, is expected to be superseded by a Charitable Incorporated Organisation (CIO) in early 2025. The CIO Directors (Trustees) would be appointed by the Parish Council.

Currently, the EF appoints Melvyn Wooding as its Trustee. Melvyn does not sit on any other body and is thus only conflicted when the EF applies for a grant. The 5 other Foulger Trustees make a grant decision without him.

In the future, if the CIO appoints a Parish Councillor to the Foulger Trust, then that Trustee will be conflicted when either the CIO or the Parish Council makes a grant application i.e. the CIO appointed Foulger Trustee would only be able to vote on 1/3rd of the grant applications by source.

Similarly, Carol Parsons is the Parish Council appointed Trustee to the Foulger Trust, so on becoming CIO Director she will also be conflicted when either the CIO or the Parish Council makes a grant application i.e. Carol would only be able to vote on 1/3rd of the grant applications by source.

Mark Hunter is a Founding Trustee of the Foulger Trust. As he is not a voting member of the Parish Council he is not conflicted from voting on Parish Council grant applications, but by tradition he generally abstains or waits until a consensus is reached. However, as a CIO Director, he would be conflicted for CIO grant applications.

Thus, the Foulger Trust could potentially be in the situation where only 4 (of 6) Foulger Trustees can vote (of which one often abstains) on Parish Council grant applications and only 3 Foulger Trustees can vote on CIO grant applications.

The proposed solutions are that the CIO appoints a Foulger Trustee who is not a Parish Councillor, and that Carol steps down from either the Foulger Trust or CIO. This will mean that 4-5 Foulger Trustees will be available to vote on Parish Council and CIO grant applications.

The Trustees noted the report.

2024.22 Any other business raised by Trustees.

Mark Hunter asked for views on moving to a separately owned website domain and replacing the Adrian Dale built website with a supported propriety service.

The meeting agreed this should be investigated.

2023.23 Date of the next meeting.

The Trustees would look to meet in January / February 2025 to approve the accounts, or sooner if a grant application is received. The Clerk to circulate dates.

Kaye Pentland
Chair of the Trustees