

HISTORY OF APPOINTMENTS TO THE AUDLEM EDUCATIONAL FOUNDATION

A charitable scheme for Audlem Educational Foundation was established on 7 December 1973 and it names Cheshire County Council as its Trustee.

The County Council had been Trustees of the original charitable foundation since 1910 but the closure of Audlem Grammar School in 1965, and the sale of the buildings in 1972, meant that along with changes in social conditions some of the objects of the 1910 scheme were defunct. A new scheme with a new list of benefits was, therefore, made and established by the Sec of State on 7 December 1973.

On 7 May 1974 the Education, Policy and Finance Committee of the County Council approved the arrangements for an Audlem Awards Committee.

The charitable scheme governs the manner in which the Foundations Trustee is required to manage its assets and makes awards, whilst the Awards Committee is the manner in which the County Council decided to comply with the scheme, including its procedures for appointing individuals to the Foundations Awards Committee.

The 5 member Awards Committee was set out as being comprised as follows:

- 3 persons appointed by the Education Committee (including the local member)
- 1 person appointed by the Crewe and Nantwich Borough Council being the local member
- 1 person appointed by the Audlem Parish Council

In 2009 as part as the LGR transformation process a review was carried out by the Outside Organisations Task Group of all outside organisation appointments made by the predecessor authorities. The review included consideration of the continued appropriateness of the appointments and which of them should become the responsibility of Cheshire East Council. It appears that, for whatever reason, consideration at that time was only given to the appointment previously made by Crewe and Nantwich Borough Council, and responsibility for this single appointment was transferred to Cheshire East Council.

However, as Cheshire East has inherited the County Councils education responsibilities it should, strictly speaking, be appointing 4 out of the 5 members - these being the three appointments previously made by the Education Committee in addition to the one appointment made by Crewe and Nantwich Borough Council.

The difficulty with the overall number of representatives has arisen at this time as, out of the total of 5, 1 cannot guarantee to attend regularly due to other commitments and 1 has passed away, leaving too small a number for meetings to be quorate.

The three representatives appointed by CCC in 2006 for a four year period have not been reappointed since then but they appear to have continued as representatives with the approval of the Awards Committee.

Consideration therefore now needs to be given by the Constitution Committee, as it is a Category 2 Organisation which means it is appointed by the Constitution Committee, as to the total number of representatives on the Awards Committee and also to the appropriate body for making those appointments. Alternatively the Constitution Committee could refer the matter to the Outside Organisations Sub Committee for further attention.

At its meeting on 23 March 2012 current members of the Awards Committee were asked by its Chairman to suggest the names of suitable local people within Audlem and Buerton parishes with a view to the Committee appointing them in order to

- (i) fill the vacancy arising from the previous representative passing away; and
- (ii) to increase the numbers present so as to prevent meetings regularly being inquorate.

The names of Mrs Helen Rounding and Peter Marshall were subsequently submitted.

The Awards Committee has also pointed out the following paragraphs of the Foundation Scheme of 1974 for the attention of the Constitution Committee:-

Para 4 Delegation

The Council may, with or without any restrictions or conditions as the Council shall think fit, delegate all or any of their powers under this Scheme to its Education Committee or to an Awards Sub-Committee, the latter to be constituted in such a manner as the Council think fit.

And to

Para 11 General Power to make Rules

Within the limits prescribed by this Scheme, the Council shall have full power to make and alter rules for the management of the Foundation.