APPENDICES

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	2025/2026	2026/2027
MAYOR / CHAIRPERSON	Cllr Marilyn Franks	Cllr
DEPUTY MAYOR / CHAIR	Cllr Ashley Orwin	Cllr
LEADER OF THE COUNCIL	Cllr Jason Knighton	Cllr
DEPUTY LEADER OF THE COUNCIL	N/A	N/A

COMMITTEES AND TASK GROUPS (Working Parties):

CORPORATE COMMITTEE	Cllr Jason Knighton (Chair) Cllr Marilyn Franks Cllr David Hughes Cllr Diane Fletcher Cllr Ashley Orwin Cllr Jenny Lowthrop Substitute: Cllr Sue Burfoot	Cllr Cllr Cllr Cllr Cllr Cllr Substitute: Cllr
EVENTS COMMITTEE	Cllr Ashley Orwin (Chair) Cllr Pat Wildgoose Cllr Jason Knighton Cllr Marilyn Franks Cllr Steve Flitter Cllr Len Best Substitute: Cllr Sue Burfoot	Cllr Cllr Cllr Cllr Cllr Cllr Substitute: Cllr

ENVIRONMENT COMMITTEE	Cllr David Hughes (Chair) Cllr Pat Wildgoose Cllr Sue Burfoot Cllr Len Best Cllr Diane Fletcher Cllr Jenny Lowthrop Substitute: Cllr Jason Knighton	Cllr Cllr Cllr Cllr Cllr Cllr Substitute: Cllr
PLANNING COMMITTEE	Cllr Len Best (Chair) Cllr Jason Knighton Cllr Diane Fletcher Cllr Ashley Orwin Cllr Sally Martin	Cllr Cllr Cllr Cllr Cllr
DELEGATION	The Mayor The Leader of the Council The lead member for the decision to be made The Clerk	
COMPLAINTS COMMITTEE AND TASK / FINISH GROUPS	To be appointed by Council when the need arises	

LEAD MEMBERS:

ENVIRONMENT	Cllr David Hughes	Cllr
FINANCE / BUSINESS	Cllr Jason Knighton	Cllr
REMEMBRANCE	Cllr Steve Flitter	Cllr
FLOODING	Cllr David Hughes	Cllr
IMPERIAL ROOMS	Cllr Ashley Orwin	Cllr

OUTSIDE BODIES:

MATLOCK/EAUBONNE TWINNING ASSOCIATION	Cllr Jason Knighton Cllr Diane Fletcher	Cllr Cllr

DERBYSHIRE COUNTY COUNCIL / DERBYSHIRE DALES DISTRICT COUNCIL LIAISON FORUMS	Deferred	
DERWENT VALLEY RAIL TRANSPORT PARTNERSHIP	Cllr Sue Burfoot	Cllr
MATLOCK RAILWAY STATION IMPROVEMENT GROUP	Deferred	
DERBYSHIRE DALES DISTRICT COUNCIL, FAIRTRADE STEERING GROUP	Deferred	
THE ROYAL BRITISH LEGION, MATLOCK AND DARLEY DALE SUB BRANCH – LIAISON	Cllr Steve Flitter The Clerk	Cllr
MATLOCK COMMUNITY VISION	Deferred	
CLOSER WORKING GROUP	Cllr Pat Wildgoose Cllr Marilyn Franks The Clerk	Cllr Cllr The Clerk

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Scheme of Delegation 2026

CONTENTS: Introduction; Delegation to Officers; Council responsibilities; Delegation to Committees; Other delegation; Limitations

APPROVED COUNCIL MEETING: 18.05.26 MINUTE NUMBER: AMxx/26

INTRODUCTION

This Scheme of Delegation authorises the Town Clerk and Responsible Financial Officer and Committees of the Council to act with delegated authority in the specific circumstances detailed.

Proper Officer

The Town Clerk shall be the Proper Officer of the Council and as such is specifically authorised to:

- Receive declarations of acceptance of office
- Receive and record notices from Councillors disclosing interests
- Sign Notices or other documents on behalf of the Council
- Receive copies of By-laws made by the local authority
- Sign and issue summonses to attend meeting of the Council
- Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda or an extraordinary meeting of the Council convened by Councillors is signed by them)
- Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in that office.

In addition, the Town Clerk has the delegated authority to undertake the following matters on behalf of the Council.

- The day to day administration of services, together with routine inspection and control
- Oversee the day to day supervision and control of all staff employed by the Council
- Authorisation of **routine** expenditure within the agreed budget ie for the servicing of equipment, payment of licences etc.
- To take action on any issue of such urgency, that it cannot wait until the next normal Council meeting subject to a spending limit of £500.00 excluding VAT. If circumstances permit, the Clerk would normally be expected to consult the Chair or Vice Chair if the Chair is unavailable and/or the Leader or Deputy Leader if the Leader is unavailable, and take their view into account.

Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with direction given by Council from time to time and shall be reported to the next available Council meeting.

Responsible Financial Officer

The Responsible Financial Officer is responsible for the Town Council's accounting procedures and will comply with the Accounts and Audit Regulations in force at any given time and with the financial regulations of the Council.

Council

The following matters are reserved to the Council for decision, notwithstanding that the appropriate Committee(s) may make recommendations thereon for the Council's consideration.

- Setting the Precept and Budget
- Borrowing money
- Making, amending or revoking Standing Orders, Financial Regulation or this Scheme of Delegation
- Making, amending or revoking By-laws

- Making of Orders under any Statutory powers
- Matters of principle or policy
- Nomination and appointment of representative of the Council to any other authority, organisation or body
- Any proposed new undertakings
- Community Safety
- Planning – ~~comment on planning applications;~~ street naming; licensing matters; Local and regional plans as appropriate
- Prosecution or defence in a court of law
- Nomination or appointment of representatives of the Council at any inquiry on matters affecting the Parish, excluding those matters specific to a committee
- Approving the Annual Return
- Confirming eligibility to exercise the General Power of Competence

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Committees

Corporate Committee

The Corporate Committee consists of a minimum of 5 members of the Council and have delegated powers to make decisions on behalf of the Council in Corporate matters, namely:

- New Policies
- Review of Policies
- New Procedures
- Review of Procedures
- Staff matters, based on recommendations made:
    - Salaries
    - Conditions of Service
    - Staff levels
    - Consideration of staffing reviews
    - Appraisal of the Town Clerk & the Responsible Finance Officer

  Recruitment, disciplinary, grievance and appeals to be referred to Council or the appropriate committee.
- Purchases – review of reports prior to submission to full Council
- Partnership working
- Review of licences and agreements prior to submission to full Council

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Setting of the budget and precept
- Any funding required outside of the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time.

The Committee may refer specific matters to the Council for a final decision if it so wishes.

Events Committee

The Events Committee consist of a minimum of 5 members of the Council and have delegated powers to make decisions on behalf of the Council on the functions listed below. Financial decisions remain the responsibility of the full Council.

- The Council's annual event programme
- Civic Activities
- Remembrance Service and Parade
- Christmas Parade

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time

The Committee may refer specific matters to the Council for a final decision if it so wishes.

Environment Committee

The Environment Committee consist of a minimum of 5 members of the Council and have delegated powers to make decisions on behalf of the Council on the functions listed below. Financial decisions remain the responsibility of the full Council.

- The Imperial Rooms
- Public Conveniences at the Children's Playground at Hall Leys Park
- Christmas Lighting – recommendations to Council
- Street Furniture – recommendations to Council

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time

The Committee may refer specific matters to the Council for a final decision if it so wishes.

Planning Committee

Planning consultations are delegated to the Planning Officer who consults ward members prior to submitting the Council's representation to the Planning Authority. All Councillors receive a copy of each application. Any application that exceeds 10 properties on one site or which any Councillor considers requires further discussion are placed on the agenda for consideration. The Planning Officer, in conjunction with the Proper Officer may also include applications on an agenda should they believe it requires a minuted response

The Planning Committee consists of a minimum of 5 members of the Council and have delegated powers to make decisions on behalf of the Council in Planning matters, namely:

- Planning decisions/comments

The following matters are reserved to the Council for decision but the Committee may make recommendations:

- Recommendation of the Committee's budget each financial year
- Any funding required outside of the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time

The Committee may refer specific matters to the Council for a final decision if it so wishes

Other Delegation

When authorised to do so by Full Council, the Clerk, working with the Mayor and the Leader may be given delegated authority to make decisions on behalf of the Council in the absence of meetings i.e. ~~during the summer break in August~~, if urgent action is required, an item is time sensitive or at times of national/local emergency. Full Council, at the earliest opportunity, will ratify these decisions.

Delegation: Limitations

All decisions taken under delegated authority will be in accordance with the Councils Standing Orders, Financial Regulations this Scheme of Delegation and where applicable any other rules/regulations and legislation which apply.
All decisions will be reported to the first appropriate meeting of the Council.
The Council may delegate the power to make decisions on individual items to the Proper Officer/Responsible Financial Officer and its Committees as and when appropriate.

There are no other committees or working parties but they may be formed by resolution of the Council at any time and delegated powers may be decided upon at the time the committee or working party is formed by means of a Minute detailing the Terms of Reference.

Corporate Committee- Terms of Reference

The Committee is responsible to the Council and has the following remit:

1	**MEMBERSHIP**	The Committee will consist of at least 5 members of the Council. The Chairperson will be chosen by full Council and will hold office until the next Annual Meeting of the Council. All Council members not appointed to the Committee are to receive notification of the agenda and may attend in a non-voting capacity.
2	**QUORUM**	The quorum shall be a minimum of 3 members
3	**VOTING**	Members shall vote by show of hands, or if at least two members so request, by recorded vote. The Chairman shall in the case of an equality of votes, have a second or casting vote.
4	**MEETINGS**	Meetings will usually be held on alternate months on a Monday evening as amount of business dictates. The public and press shall be admitted to all meetings, which may however, temporarily exclude the public by means of a resolution. **Confidential Business:** Members of the Committee should not disclose matters of a confidential nature to any person **not** a member of Matlock Town Council. Any member doing so shall be removed from the Committee by the Council.
5	**FUNCTION**	To provide effective management of the Council's corporate business, to determine annual budgets & to approve payments as per Matlock Town Council's Standing Orders
6	**DELEGATED POWERS**	The Committee has full delegated powers over the Council's corporate affairs and may occasionally act on behalf of full Council should matters of an urgent nature require discussion.

7	**REPORTING TO COUNCIL**	The minutes from each meeting will be presented to Full Council or A decision shall be taken at each Committee meeting as to whether any items should be referred up to Full Council.
8	**REVISION**	A review of Corporate Committee membership and its duties will be taken annually, in May.

Environment Committee
Terms of Reference

The Committee is responsible to the Council and has the following remit:

1	MEMBERSHIP	The Committee will consist of at least 5 members of the Council. The Chairperson will be chosen by full Council and will hold office until the next Annual Meeting of the Council. All Council members not appointed to the Committee are to receive notification of the agenda and may attend in a non-voting capacity.
2	QUORUM	The quorum shall be a minimum of 3 members
3	VOTING	Members shall vote by show of hands, or if at least two members so request, by recorded vote. The Chairman shall in the case of an equality of votes, have a second or casting vote.
4	MEETINGS	Meetings will usually be held on alternate months on a Monday at a time to be agreed with members as amount of business dictates. The public and press shall be admitted to all meetings which may, however, temporarily exclude the public by means of a resolution. **Confidential Business:** Members of the Committee should not disclose matters of a confidential nature to any person **not** a member of Matlock Town Council. Any member doing so shall be removed from the Committee by the Council.
5	FUNCTION	To provide effective management of the Following items: • The Imperial Rooms • Hall Leys Park Toilets • Street Furniture • Christmas lights • Environmental policy • Wellfield allotments • Footpaths • Other MTC owned land
6	DELEGATED POWERS	The Committee has full delegated powers over the Council's activities in relation to its responsibilities excluding matters associated with items requiring the use

		of earmarked reserves or general fund which should be addressed by full Council. The Committee may occasionally act on behalf of full Council should matters of an urgent nature require discussion.
7	REPORTING TO COUNCIL	A decision shall be taken at each Committee meeting as to whether any items should be referred up to Full Council.
8	REVISION	A review of the Environment Committee membership and its duties will be taken annually, in May.

Planning Committee
Terms of Reference

The Committee is responsible to the Council and has the following remit:

1	MEMBERSHIP	The Committee will consist of at least 5 members of the Council. The Chairperson will be chosen by full Council and will hold office until the next Annual Meeting of the Council. All Council members not appointed to the Committee are to receive notification of the agenda and may attend in a non-voting capacity.
2	QUORUM	The quorum shall be a minimum of 3 members
3	VOTING	Members shall vote by show of hands, or if at least two members so request, by recorded vote. The Chairman shall in the case of an equality of votes, have a second or casting vote.
4	MEETINGS	Meetings will usually be held on alternate months on a Monday evening as amount of business dictates. The public and press shall be admitted to all meetings which may, however, temporarily exclude the public by means of a resolution. **Confidential Business:** Members of the Committee should not disclose matters of a confidential nature to any person **not** a member of Matlock Town Council. Any member doing so shall be removed from the Committee by the Council.
5	FUNCTION	To provide effective management of the Council's planning responses, including the following: • Timely responses to Planning Applications • Site visits where required • Automatic discussion of Applications with over 10 dwellings • Comment on Derbyshire Dales District Council Local Plan
6	DELEGATED POWERS	The Committee has full delegated powers over the Council's Planning responses with the exception of items requiring the use of earmarked reserves or general fund which should be addressed by full Council.

		The Committee may occasionally act on behalf of full Council should matters of an urgent nature require discussion.
7	REPORTING TO COUNCIL	A decision shall be taken at each Committee meeting as to whether any items should be referred up to Full Council.
8	REVISION	A review of the Planning Committee membership and its duties will be taken annually, in May.

Events Committee
Terms of Reference

The Committee is responsible to the Council and has the following remit:

1	MEMBERSHIP	The Committee will consist of at least 5 members of the Council. The Chairperson will be chosen by full Council and will hold office until the next Annual Meeting of the Council. All Council members not appointed to the Committee are to receive notification of the agenda and may attend in a non-voting capacity.
2	QUORUM	The quorum shall be a minimum of 3 members
3	VOTING	Members shall vote by show of hands, or if at least two members so request, by recorded vote. The Chairman shall in the case of an equality of votes, have a second or casting vote.
4	MEETINGS	Meetings will usually be held on alternate months on a Monday evening as amount of business dictates. The public and press shall be admitted to all meetings which may, however, temporarily exclude the public by means of a resolution. **Confidential Business:** Members of the Committee should not disclose matters of a confidential nature to any person **not** a member of Matlock Town Council. Any member doing so shall be removed from the Committee by the Council.
5	FUNCTION	To provide effective management of the Council's events, including the following: • Council events programme • Christmas parade • Civic Activities • Remembrance service & parade
6	DELEGATED POWERS	The Committee has full delegated powers over the Council's events with the exception of items requiring the use of earmarked reserves or general fund which should be addressed by full Council. The Committee may occasionally act on behalf of full Council should matters of an urgent nature require discussion.

7	REPORTING TO COUNCIL	A decision shall be taken at each Committee meeting as to whether any items should be referred up to Full Council.
8	REVISION	A review of the Events Committee membership and its duties will be taken annually, in May.

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CODE OF CONDUCT

2026

CONTENTS: Pecuniary Interests, Sensitive Information, Other Interests, Appendix A

APPROVED COUNCIL MEETING: **18.05.26** **MINUTE NUMBER: AMxx/26**

CODE OF CONDUCT

MAY 2026

As a member or co-opted member of Matlock Town Council, I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.
In accordance with the Localism Act provisions, when acting in this capacity ie

- At formal meetings of the Council, its Committees and Sub-Committees
- When acting as a representative of the authority
- At briefing meetings with officers and at site visits
- When corresponding with the authority, other than in a private capacity

I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority:

SELFLESSNESS
Holders of public office should act solely in the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in carrying out their official duties.

OBJECTIVITY
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit only.

ACCOUNTABILITY
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS
Holders of public office should be as open as possible about all the decisions and

actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

BULLYING AND HARASSMENT

Holders of public office must treat others with respect and must not pursue a course of conduct which amounts to bullying or harassment of another.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

The Act provides for registration and disclosure of interests and in Matlock Town Council, this will be done as follows:

1. **DISCLOSABLE PECUNIARY INTERESTS**

   I will:

   - Comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which I have a Disclosable Pecuniary Interest as defined in Appendix A.

   - Keep my register of interests up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of my interests.

- Make verbal declaration of the existence and nature of any Disclosable Pecuniary Interest at any meeting at which I am present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

2. SENSITIVE INFORMATION

Where I consider that the information relating to any of my interests in 1 above is sensitive information, and the District Council's Monitoring Officer agrees, I need not include that information when registering that interest, or, as the case may be, a change to that interest under section 1. In this Code 'sensitive information' means information whose availability for inspection by the public creates or is likely to create, a serious risk that I or a person who lives with me may be subjected to violence or intimidation.

3. OTHER INTERESTS

In addition to the statutory requirements, I will make verbal declaration of the existence and nature of any other non Disclosable pecuniary interest or non pecuniary interest at any meeting at which I am present at which an item of business is under consideration, at or before the consideration of the item, or as soon as the interest becomes apparent where:

- The matter may be particularly regarded as affecting the well-being or financial standing of me, a friend or a member of my family

- It relates to, or is likely to affect, any of the interests listed in Appendix A to this Code, but in respect of my family or friends.

As a Member of Matlock Town Council, my conduct will in particular address the statutory principles of the Code of Conduct by:

a) Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me – and putting their interests first.

b) Dealing with representation or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

c) Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interest of the town council or the good governance of the authority in a proper manner.

d) Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.

e) Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

f) Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.

g) Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.

h) Respecting the confidentiality of information which I receive as a member

i) Behaving in accordance with all our legal obligations, with particular regard to the:

- The Data Protection Act 2018
- Freedom of Information Act 2000
- Bribery Act 2010
- Equality Act 2010
- Local Government Act 1972

j) Having regard to the principles of the authority's policies, protocols and procedures, including on the use of the Authority's resources.

k) Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

l) Always treating people with respect, including the organisations and public I engage with and those I work alongside.

m) Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

APPENDIX A

DISCLOSABLE PECUNIARY INTERESTS

In accordance with Section 30 (3) of the Act a pecuniary interest is a 'disclosable pecuniary interest' in relation to a Member, if it is of a description specified below and either

- Is an interest of the Member, or
- Is an interest of:
  - The members spouse or civil partner
  - A person with whom the member is living as husband and wife, or
  - A person with whom the Member is living as if they were civil partners, and the Member is aware that the other person has the interest.

Subject	**Prescribed description**
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the member, or towards the election expenses of the member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(a).

Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority: a) Under which good or services are to be provided or works are to be executed; and b) Which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge): a) The landlord is the relevant authority; and b) The tenant is a body in which the relevant person has a beneficial interest

BANK SIGNATORIES:

RBS	Cllr Steve Flitter Cllr Ashley Orwin Cllr Jason Knighton The Finance Lead The Clerk & RFO are signatories for administration purposes	
UNITY TRUST	Cllr Steve Flitter Cllr Ashley Orwin Cllr Jason Knighton The Clerk & RFO are signatories for administration purposes	
LLOYDS (now open)	Cllr Steve Flitter Cllr Ashley Orwin Cllr Jason Knighton The Clerk & RFO are signatories for administration purposes	

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FINANCIAL REGULATIONS 2026
See separate Appendix

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STANDING ORDERS 2026
See separate Appendix

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APPROVED SUPPLIERS
See separate Appendix

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DAVID BARKER BEQUEST CHARITY

SETTING UP THE DAVID BARKER BEQUEST CHARITY - APRIL 2026

This is a follow-up to the report agreed at Matlock Town Council meeting on 16 March 2026.

1. Background

Matlock Town Council will be a Corporate Trustee and the Sole Trustee for the new David Barker Bequest Charity (abbreviated to the DBB Charity below). Arrangements now need to be put in place for Matlock Town Council (MTC) to receive and manage the funds currently held by Matlock Civic Association (MCA) and to agree the working arrangements between MCA and MTC.

2. The Governing Document for the DBB Charity

Document MCA1627 is the text of the Constitution for the DBB Charity (ie its 'Governing Document') as agreed by the Charity Commission (email 27 Feb 2026). The Town Council formally adopted the Governing Document at its meeting on 16 March 2026. The new DBB Charity has been formally registered and been given Charity No. 1217274. This registration brings with it obligations for the Town Council who must set up working arrangements that protect the Bequest funds and ensure they are only used for the approved Charitable purposes. The Town Council, as Trustee for the Charity, also has various responsibilities for reporting its activities to the Commission (including an Annual Report).

3. Managing the Bequest

MCA has funds totalling c £200,000 which are overwhelmingly derived from a Bequest in the Will of David Barker (a founder member of the Association and three times Mayor of Matlock). David died in 2019 and MCA was the principal beneficiary in his Will. The Bequest has been invested by MCA and interest has been earned and re-invested. The funds obviously have to be spent in accordance with MCA's 'Charitable Objects' as defined by the Charity Commission (which in turm now form the basis for the DBB Charity's Charitable Objects as recorded in the Governing Document).

In 2020 MCA adopted a series of Criteria for the use of the Bequest and prioritised the use of the funds for Civic Improvement projects of the type David was familiar with (and had often been involved with in his lifetime). The Appendix summarises these Criteria.

The Bequest funds are currently held in interest earning accounts managed by MCA totalling c.£180,000. As well as the Bequest Funds, MCA also has a Current Account which has funds not derived from the Bequest (currently some £29,000). The intention is to progressively transfer the Bequest-related investments to MTC – most obviously by changing the name on the Accounts currently in MCA's name and setting up new arrangements for TC to manage the funds as the Charity Trustee (eg authorised signatories). MCA will continue to exist and will continue to manage the non- Bequest-attributable funds. If at some point in the future MCA needs to close down then any remaining MCA funds would be transferred to the DBB Charity as part of the winding up procedure.

4. A DBB Committee

MTC will wish to set up management arrangements to invest and use the DBB funds. The Charity Commission do not need to approve these management arrangements. Previous discussions with MTC suggest that the DBB Committee will consist of Councillors who will operate in the same way as for other MTC Committees with reports from the Town Clerk and follow-up actions normally the responsibility of the Town Clerk. However there would be advantages in MCA having perhaps two advisers on the Committee who would not have voting rights but would be able to advise as appropriate, particularly in the early days of the new working arrangements.

The Will also specifies five individuals who must be consulted on the use of his Bequest. These five consultees were all involved in the process of setting up the DBB Charity (Martin Burfoot, Sue Burfoot, Barry Hopkinson, Cate Hopkinson and Ken Parker). These five should have an ongoing role but only as consultees in the use of the DBB funds and not in other aspects of the DBB Committee's work. Therefore they will not be members of the Committee and as they are only consultees would not have a veto on the use of the funds (an assurance given to the Charity Commission).

5. MCA and MTC Working Relationship

MCA has long-established working relationships with MTC which are intended to be applied in relation to the use of the DBB Funds. These would include.

a. MCA acting as agents of MTC in developing and organising projects which, on completion, will become the responsibility of MTC (as in the case of the Matlock Mural on Derwent Way).
b. MTC grant aiding projects alongside other funding that might be secured from other sources (eg Lottery Funding for Bailey's Tump). This would need to be applied on a case-by-case basis but funds allocated by the DBB Committee from the Charity and other TC budget allocations could be used together on specific projects.
c. MCA would continue to use its own funds for its own projects (eg Trail Booklets). These could also be MCA applications for DBB funds.

6. Current Projects under development

There are three major projects MCA has been developing which could be applicants for the use of DBB Funds. Specific consideration of the detail of the individual projects could be an early task of the DBB Committee. These are…

a. The idea of a Hydro-themed artwork in Matlock Town Centre. This idea was discussed at an MTC meeting on 16 Nov 2020 stating 'That the Council welcomes the report and wishes to continue to work with Matlock Civic Association. They will respond with a letter of support in due course'. This project has been delayed because of lack of agreement on funding, siting and ownership responsibility. The creation of the new DBB Charity would be an opportunity to revive the idea

b. The creation of a new East Bank track providing a cycling and walking route between Matlock and Matlock Bath. This is being led by Derbyshire County Council but MCA has been involved and the use of DBB Funds could be a means of ensuring a high quality project. MTC considered this idea at a recent meeting of Full Council on 17 Nov 2025 and wrote confirming their support for the project.
c. The proposals for additional seats on Matlock Bank (see also Agenda Item 8 below). These are likely to need Licences from DCC (as most sites are in the public highway) and MCA could act as agents for MTC in securing the Licence and organising implementation.

Detailed reports on all three projects could be considered at an early meeting of the DBB Committee. It is also anticipated that the Town Council could take responsibility for any of these projects which are under development or implementation if MCA has to close down.

Ken Parker 13 April 2026

MCA1642

<u>Appendix. The Criteria for the use of the David Barker Bequest (DBB) Funds.</u>

This document dated 31 March 2025 was developed by Matlock Civic Association following the confirmation of the David Barker Bequest. It was the subject of consultation with the five Consultees and also with the Town Council. It also formed part of the original application to the Charity Commission.

Matlock Civic Association (MCA) defined eight criteria for the use of Bequest Funds in 2021. These were refined with experience and adopted by Matlock Town Council (MTC) at its 18 November 2024 meeting. A summary of the Criteria is below. MTC will use these criteria in its management of the DBB funds. They may need to be further refined in the light of experience but must remain consistent with DBB's Charitable Objects.

These criteria should be used as guidance to decide on the eligibility of project proposals for DBB funds. All should be considered. The costs must still be assessed and there must be appropriate mechanisms for approving the elements of the projects and letting contracts.

<u>Criterion 1 – Location.</u> The Bequest specifies that the funds must be **used for projects that will be of benefit to Matlock Parish**. However, this does not mean the project should be wholly located within Matlock Parish. Locations adjacent to Matlock might also be eligible if they are of clear benefit to Matlock e.g. the High Tor Viewpoint would clearly benefit Matlock Parish even though in Matlock Bath Parish.

<u>Criterion 2 – Purposes</u>. The original Bequest was to MCA and therefore any use of the funds must be in accordance with MCA`s two Charitable Objects as agreed by the Charity Commission i.e.

* to educate the public in the geography, history, natural history and architecture of the area of Matlock;

* the preservation, protection, development and improvement of buildings and other features of historic or public interest by promoting high standards of planning, design and architecture in or affecting Matlock.

It would be illegal to use the funds outside these objects regardless of their desirability.

<u>Criterion 3 - Scale and Additional Funding.</u> MCA has always tried to secure grants from other organisations to help achieve its projects with its own funds and volunteer time being

used as `match funding` to secure these grants. Inability to attract grants should not prevent worthwhile projects. Seeking grants should continue.
MCA funds should be focussed on big projects but not excluding smaller projects that are not suitable for other funding sources. A normal minimum project cost should be £3000.
Normally MCA members organise projects, which have then been handed over to another organisation (usually a Local Authority) who become the owner and take on management responsibilities. Now the Town Council will need to find skilled Project Managers, possibly Consultants, to develop and manage its own projects.
Criterion 4 - Heritage-led Regeneration. Most recent work on economic regeneration has focused on `Heritage-led` or `Environment-led `approaches. Eg. MCA were influential in the Crown Square redesign of 2009 securing the widening of the footways, stone paving, new trees and a new central Crown feature.
Criterion 5 - Implementation, Ownership and Maintenance. MCA does not own property, with ownership and maintenance of projects being taken over by another organisation. MCA are now being requested to pay over a `commuted sum` to ensure ongoing management. However, there are risks that if regular and significant this could dissipate the funds or that advance funding might be used for a different purpose. Therefore, three considerations should apply before agreement to a commuted sum i.e. The project would not proceed without it; clearly justified management costs normally for 5 years; payments should be made in arrears against documented costs incurred.
The use of funds on private property is a new issue, which should only be granted in exceptional circumstances. A contribution to the repair of the `Evans Clock` on Dale Road is such an exception because it is a prominent heritage feature in the street scene.
Criterion 6 - Not Existing Obligations. Any project should be something **new-**which is the implication of the Bequest. Therefore, it should not be used for schemes which are essentially a simple improvement of existing facilities or allocating additional resources towards existing obligations or replacement funding for existing established activities e.g. new bollards in Crown Square would be acceptable to protect important environmental assets, but replanting a neglected pine tree on Causeway Lane would not as this should be normal maintenance.
Criterion 7 - The Bequeather's Interests. As this is a personal bequest it would be appropriate to link its use to David Barker`s interests with four types of project especially relevant.

a. Historic projects (The John Bowne memorial on Lime Tree Road was David's idea).
b. Making the Town Centre somewhere special with Crown Square as the focus.
c. The British Legion and Remembrance Day as he was a strong supporter of both
d. Restoration of the lost views now obscured with tree growth e.g. Artist's Corner

In his Will, David specified that five people should be consulted on the use of his Bequest ie. Martin and Sue Burfoot, Barry and Kate Hopkinson and Ken Parker. They should continue to be consulted on the use of these funds.
Criterion 8 – Time scale. It is hoped to complete the projects fairly quickly whilst the main MCA members and five consultees are still active and David is still in our memories. The aim is to spend the funds within 10 years, but this is optimistic hence the establishment of this David Barker Bequest with the Town Council as Sole Trustee and Corporate Trustee.

Schedule of Principal Matlock Civic Association Projects 1981 to 2025
MCA was founded in 1981 and Davd Barker was a member until his death. Over the subsequent years MCA devised, organised and implemented many projects, usually in partnership with others and with ownership and management responsibilities accepted by others (usually one of the Local Authorities). The table below lists the most significant

projects but there were numerous other smaller projects – tree planting, provision of seats, bulb planting etc. David was closely involved in several of these projects and was familiar with all of them. It follows that these are the kind of projects he would wish his Bequest to be used for. As at March 2025 there are several projects agreed by MCA that are awaiting final approvals – often delayed by the increasingly difficult financial position of Local Authorities. David was familiar with most of these new project proposals and they would be a fitting use of his Bequest.

Schedule of the Main MCA projects since 1981 and Project Ideas currently under development.

Project Name	**Date completed**	**Ownership on completion**
Ship Loads	1983	Derbyshire Dales DC
Pic Tor + Starkholmes War Memorials restoration/repair.	1996	Derbyshire Dales DC
Blue plaques (twenty-two to date)	1999 and ongoing	Property owners and MCA
Trail Booklets (three)	2004? - 2022	MCA hold stocks and sells to shops and cafes for resale.
County Hall Crown restoration	2004	Derbyshire CC
Matlock Bridge Viewpoint	2005	Derbyshire Dales DC
Bailey's Tump	2008	Town Council
Matlock Mural on Derwent Way	2015	Town Council
John Bowne Memorial on Hurst Rise	2018	Waterloo (now Platform) Housing
History Plaque – Crown Square	2021	Town Council/shopkeeper
Park Head Memorial Stone Artwork	2022	Derbyshire Dales DC
Ashton's Tree/Queen's Oak on Smedley Street	2023	Derbyshire CC
Matlock Station Footbridge Artwork	2024	Town Council
Projects under Development as at March 2025		
Hydro-themed artwork in town centre		
East Bank Track - Matlock to Matlock Bath		
1904 Suspension Bridge Re-creation		
Artists' Corner Viewpoint		
Artwork or tree in Post Office frontage		
Seats and Benches		

Constitution of the David Barker Bequest Charity

Date of constitution (last amended):

As approved by Charity Commission 18 March 2026. Charity Number 1217274

1. Name

The name of the Charitable Incorporated Organisation ("the CIO") is

David Barker Bequest Charity (abbreviated below to DBB Charity)

2. National location of principal office

The CIO must have a principal office in England or Wales. The principal office of the CIO is in England

3. Objects

The objects of the CIO are

a) To educate the public in the geography, history, natural history and architecture of the area of Matlock

b) The preservation, protection, development and improvement of buildings and other features of historic or public interest by promoting high standards of planning, design in or affecting Matlock.

c) To design and implement civic improvement and heritage conservation projects.

Nothing in this constitution shall authorise an application of the property of the CIO for the purposes which are not charitable in accordance with section 7 of the Charities and Trustee Investment (Scotland) Act 2005 and section 2 of the Charities Act (Northern Ireland) 2008.

4. Powers

The CIO has power to do anything which is calculated to further its objects or is conducive or incidental to doing so. In particular, the CIO has power to:

(1) borrow money and to charge the whole or any part of its property as security for the

repayment of the money borrowed. The CIO must comply as appropriate with sections 124 and 125 of the Charities Act 2011, if it wishes to mortgage land;

(2) buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;

(3) sell, lease or otherwise dispose of all or any part of the property belonging to the CIO. In exercising this power, the CIO must comply as appropriate with sections 117 and 119-123 of the Charities Act 2011;

(4) employ and remunerate such staff as are necessary for carrying out the work of the CIO. The CIO may employ or remunerate a charity trustee only to the extent that it is permitted to do so by clause 6 (Benefits and payments to charity trustees and connected persons) and provided it complies with the conditions of that clause;

(5) deposit or invest funds, employ a professional fund-manager, and arrange for the investments or other property of the CIO to be held in the name of a nominee, in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000.

5. Application of income and property

(1) The income and property of the CIO must be applied solely towards the promotion of the objects.

(a) A charity trustee is entitled to be reimbursed from the property of the CIO or may pay out of such property reasonable expenses properly incurred by him or her when acting on behalf of the CIO.

(b) A charity trustee may benefit from trustee indemnity insurance cover purchased at the CIO's expense in accordance with, and subject to the conditions in, section 189 of the Charities Act 2011.

(2) None of the income or property of the CIO may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the CIO.

(3) Nothing in this clause shall prevent a charity trustee or connected person receiving any benefit or payment which is authorised by Clause 6.

6. Benefits and payments to charity trustees and connected persons

(1) General provisions

No charity trustee or connected person may:

(a) buy or receive any goods or services from the CIO on terms preferential to those applicable to members of the public;

(b) sell goods, services, or any interest in land to the CIO;

(c) be employed by, or receive any remuneration from, the CIO;

(d) receive any other financial benefit from the CIO;

unless the payment or benefit is permitted by sub-clause (2) of this clause or authorised by the court or the prior written consent of the Charity Commission ("the Commission") has been obtained. In this clause, a "financial benefit" means a benefit, direct or indirect, which is either money or has a monetary value.

(2) **Scope and powers permitting trustees' or connected persons' benefits**

(a) A charity trustee or connected person may receive a benefit from the CIO as a beneficiary of the CIO provided that a majority of the trustees do not benefit in this way.

(b) A charity trustee or connected person may enter into a contract for the supply of services and/or goods to the CIO where that is permitted in accordance with, and subject to the conditions in, sections 185 to 188 of the Charities Act 2011.

(c) A charity trustee or connected person may receive interest on money lent to the CIO at a reasonable and proper rate which must be not more than the Bank of England bank rate (also known as the base rate).

(d) A charity trustee or connected person may receive rent for premises let by the trustee or connected person to the CIO. The amount of the rent and the other terms of the lease must be reasonable and proper. The charity trustee concerned must withdraw from any meeting at which such a proposal or the rent or other terms of the lease are under discussion.

(e) A charity trustee or connected person may take part in the normal trading and fundraising activities of the CIO on the same terms as members of the public.

(3) In sub-clause (2) of this clause:

(a) "The CIO" includes any company in which the CIO:

(i) holds more than 50% of the shares; or

(ii) controls more than 50% of the voting rights attached to the shares; or

(iii) has the right to appoint one or more directors to the board of the company.

(b) "Connected person" includes any person within the definition set out in clause 28 (Interpretation).

7. Conflicts of interest and conflicts of loyalty

A charity trustee must:

(1) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the CIO or in any transaction or arrangement entered into by the CIO which has not previously been declared; and

(2) absent himself or herself from any discussions of the charity trustees in which it is possible that a conflict of interest will arise between his or her duty to act solely in the interests of the CIO and any personal interest (including but not limited to any financial interest).

Any charity trustee absenting himself or herself from any discussions in accordance with this clause must not vote or be counted as part of the quorum in any decision of the charity trustees on the matter.

8. Liability of members to contribute to the assets of the CIO if it is wound up

If the CIO is wound up, the members of the CIO have no liability to contribute to its assets and no personal responsibility for settling its debts and liabilities.

9. Charity trustees

(1) Functions and duties of charity trustees

The charity trustees shall manage the affairs of the CIO and may for that purpose exercise all the powers of the CIO. It is the duty of each charity trustee:

(a) to exercise his or her powers and to perform his or her functions in his or her capacity as a trustee of the CIO in the way he or she decides in good faith would be most likely to further the purposes of the CIO; and

(b) to exercise, in the performance of those functions, such care and skill as is reasonable in the circumstances having regard in particular to:

(i) any special knowledge or experience that he or she has or holds himself or herself out as having; and,

(ii) if he or she acts as a charity trustee of the CIO in the course of a business or profession, to any special knowledge or experience that it is reasonable to expect of a person acting in the course of that kind of business or profession.

(2) **Eligibility for trusteeship**

(a) Every charity trustee must be a natural person. In addition, there can be a Corporate Trustee.

(b) No individual may be appointed as a charity trustee of the CIO:

- if he or she is under the age of 16 years; or
- if he or she would automatically cease to hold office under the provisions of clause 11(1)(e).

(c) No one is entitled to act as a charity trustee whether on appointment or on any re-appointment until he or she has expressly acknowledged, in whatever way the charity trustees decide, his or her acceptance of the office of charity trustee.

(3) **Number of charity trustees**

- There must be at least one charity trustees.
- The maximum number of charity trustees is 12. The charity trustees may not appoint any charity trustee if as a result the number of charity trustees would exceed the maximum.

(4) First charity trustees

The first charity trustees are as follows:

Matlock Town Council as the Corporate Trustee

10. Appointment of charity trustees

(1) Apart from the first charity trustees, every trustee must be appointed by a resolution passed at a properly convened meeting of the charity trustees.

(2) In selecting individuals for appointment as charity trustees, the charity trustees must

have regard to the skills, knowledge and experience needed for the effective administration of the CIO.

11. Information for new charity trustees

The charity trustees will make available to each new charity trustee, on or before his or her first appointment:

(a) a copy of the current version of this constitution; and

(b) a copy of the CIO's latest Trustees' Annual Report and statement of accounts.

12. Retirement and removal of charity trustees

(1) A charity trustee ceases to hold office if he or she:

(a) retires by notifying the CIO in writing (but only if enough charity trustees will remain in office when the notice of resignation takes effect to form a quorum for meetings);

(b) is absent without the permission of the charity trustees from all their meetings held within a period of six months and the trustees resolve that his or her office be vacated;

(c) dies;

(d) in the written opinion, given to the CIO, of a registered medical practitioner treating that person, has become physically or mentally incapable of acting as a trustee and may remain so for more than three months;

(e) is disqualified from acting as a charity trustee by virtue of sections 178-180 of the Charities Act 2011 (or any statutory re-enactment or modification of that provision).

(2) Any person retiring as a charity trustee is eligible for reappointment.

13. Taking of decisions by charity trustees

Any decision may be taken either:

(1) At a meeting of the charity trustees; or

(2) By resolution in writing or electronic form agreed by a majority of all of the charity trustees, which may comprise either a single document or several documents containing the text of the resolution in like form to which the majority of all of the charity trustees has signified their agreement. Such a resolution shall be effective provided that

(a) a copy of the proposed resolution has been sent, at or as near as reasonably practicable at the same time, to all of the charity trustees; and

(b) the majority of all of the charity trustees has signified agreement to the resolution in a document or documents which has or have been authenticated by their signature, by a statement of their identity accompanying the document or documents, or in such other manner as the charity trustees have previously resolved, and delivered to the CIO at its principal office or such other place as the trustees may resolve within 28 days of the circulation date.

14. Delegation by charity trustees

(1) The charity trustees may delegate any of their powers or functions to a committee or committees, and, if they do, they shall determine the terms and conditions on which the delegation is made. The charity trustees may at any time alter those terms and conditions or revoke the delegation.

(2) This power is in addition to the power of delegation in the General Regulations and any other power of delegation available to the charity trustees, but is subject to the following requirements:

(a) a committee may consist of two or more persons, but at least one member of each committee must be a charity trustee;

(b) the acts and proceedings of any committee must be brought to the attention of the charity trustees as a whole as soon as is reasonably practicable; and

(c) the charity trustees shall from time to time review the arrangements which they have made for the delegation of their powers.

15. Meetings of charity trustees

(1) Calling meetings

(a) Any charity trustee may call a meeting of the charity trustees.

(b) Subject to that, the charity trustees shall decide how their meetings are to be called, and what notice is required.

(2) Chairing of meetings

The charity trustees may appoint one of their number to chair their meetings and may at any time revoke such appointment. If no-one has been so appointed, or if the person appointed is unwilling to preside or is not present within 10 minutes after the time of the meeting, the charity trustees present may appoint one of their number to chair that meeting.

(3) Procedure at meetings

(a) No decision shall be taken at a meeting unless a quorum is present at the time when the decision is taken. The quorum is two charity trustees, or the number nearest to one third of the total number of charity trustees, whichever is greater, or such larger number as the charity trustees may decide from time to time. A charity trustee shall not be counted in the quorum present when any decision is made about a matter upon which he or she is not entitled to vote. In the event of their only being a single corporate Trustee, (Matlock Town Council) the quorum will be decided by its Standing Orders.

(b) Questions arising at a meeting shall be decided by a majority of those eligible to vote.

(c) In the case of an equality of votes, the person who chairs the meeting shall have a second or casting vote.

(4) Participation in meetings by electronic means

(a) A meeting may be held by suitable electronic means agreed by the charity trustees in which each participant may communicate with all the other participants.

(b) Any charity trustee participating at a meeting by suitable electronic means agreed by the charity trustees in which a participant or participants may communicate with all the other participants shall qualify as being present at the meeting.

(c) Meetings held by electronic means must comply with rules for meetings, including chairing and the taking of minutes.

16. Membership of the CIO

(1) The members of the CIO shall be its charity trustees for the time being. The only persons eligible to be members of the CIO are its charity trustees. Membership of the CIO cannot be transferred to anyone else.

(2) Any member and charity trustee who ceases to be a charity trustee automatically ceases to be a member of the CIO.

17. Informal or associate (non-voting) membership

This section does not apply here.

18. Decisions which must be made by the members of the CIO

(1) Any decision to:

(a) amend the constitution of the CIO;

(b) amalgamate the CIO with, or transfer its undertaking to, one or more other CIOs, in accordance with the Charities Act 2011; or

(c) wind up or dissolve the CIO (including transferring its business to any other charity)

must be made by a resolution of the members of the CIO (rather than a resolution of the charity trustees).

(2) Decisions of the members may be made either:

(a) by resolution at a general meeting; or

(b) by resolution in writing, in accordance with sub-clause (4) of this clause.

(3) Any decision specified in sub-clause (1) of this clause must be made in accordance with the provisions of clause 26 (amendment of constitution), clause 27 (Voluntary winding up or dissolution), or the provisions of the Charities Act 2011, the General Regulations or the Dissolution Regulations as applicable. Those provisions require the resolution to be agreed by a 75% majority of those members voting at a general meeting or agreed by all members in writing.

(4) Except where a resolution in writing must be agreed by all the members, such a resolution may be agreed by a simple majority of all the members who are entitled to vote on it. Such a resolution shall be effective provided that:

(a) a copy of the proposed resolution has been sent to all the members eligible to vote; and

(b) the required majority of members has signified its agreement to the resolution in a document or documents which are received at the principal office within the period of 28 days beginning with the circulation date. The document signifying a member's agreement must be authenticated by their signature, by a statement of their identity accompanying the document, or in such other manner as the CIO has specified.

The resolution in writing may comprise several copies to which one or more members has signified their agreement. Eligibility to vote on the resolution is limited to members who are members of the CIO on the date when the proposal is first circulated.

19. General meetings of members

(1) Calling of general meetings of members

The charity trustees may designate any of their meetings as a general meeting of the members of the CIO. The purpose of such a meeting is to discharge any business which must by law be discharged by a resolution of the members of the CIO as specified in clause 16 (Decisions which must be made by the members of the CIO).

(2) Notice of general meetings of members

(a) The minimum period of notice required to hold a general meeting of the members of the CIO is [14] days.

(b) Except where a specified period of notice is strictly required by another clause in this constitution, by the Charities Act 2011 or by the General Regulations, a general meeting may be called by shorter notice if it is so agreed by a majority of the members of the CIO.

(c) Proof that an envelope containing a notice was properly addressed, prepaid and posted; or that an electronic form of notice was properly addressed and sent, shall be conclusive evidence that the notice was given. Notice shall be deemed to be given 48 hours after it was posted or sent.

(3) Procedure at general meetings of members

The provisions in clause 14 (2)-(4) governing the chairing of meetings, procedure at meetings and participation in meetings by electronic means apply to any general meeting of the members, with all references to trustees to be taken as references to members.

20. Saving provisions

(1) Subject to sub-clause (2) of this clause, all decisions of the charity trustees, or of a committee of charity trustees, shall be valid notwithstanding the participation in any vote of a charity trustee:

- who was disqualified from holding office;
- who had previously retired or who had been obliged by the constitution to vacate office;
- who was not entitled to vote on the matter, whether by reason of a conflict of interest or otherwise;
- for whom there is a technical defect in their appointment as a trustee of which the trustees were unaware at the time;

if, without the vote of that charity trustee and that charity trustee being counted in the quorum, the decision has been made by a majority of the charity trustees at a quorate meeting.

(2) Sub-clause (1) of this clause does not permit a charity trustee to keep any benefit that may be conferred upon him or her by a resolution of the charity trustees or of a committee of charity trustees if, but for sub-clause (1), the resolution would have been void, or if the charity trustee has not complied with clause 7 (Conflicts of interest).

21. Execution of documents

(1) The CIO shall execute documents either by signature or by affixing its seal (if it has one).

(2) A document is validly executed by signature if it is signed by at least <u>one</u> of the charity trustees.

22. Use of electronic communications

(1) General

The CIO will comply with the requirements of the Communications Provisions in the General Regulations and in particular:

(a) the requirement to provide within 21 days to any member on request a hard copy of any document or information sent to the member otherwise than in hard copy form;

(b) any requirements to provide information to the Commission in a particular form or manner.

23. Keeping of Registers

The CIO must comply with its obligations under the General Regulations in relation to the keeping of, and provision of access to, a (combined) register of its members and charity trustees.

24. Minutes

The charity trustees must keep minutes of all:

(1) appointments of officers made by the charity trustees.

(2) proceedings at general meetings of the CIO;

(3) meetings of the charity trustees and committees of charity trustees including:

- the names of the trustees present at the meeting;
- the decisions made at the meetings; and

- where appropriate the reasons for the decisions;

(4) decisions made by the charity trustees otherwise than in meetings.

25. Accounting records, accounts, annual reports and returns, register maintenance

(1) The charity trustees must comply with the requirements of the Charities Act 2011 with regard to the keeping of accounting records, to the preparation and scrutiny of statements of account, and to the preparation of annual reports and returns. The statements of account, reports and returns must be sent to the Charity Commission, regardless of the income of the CIO, within 10 months of the financial year end.

(2) The charity trustees must comply with their obligation to inform the Commission within 28 days of any change in the particulars of the CIO entered on the Central Register of Charities.

26. Rules

The charity trustees may from time to time make such reasonable and proper rules or byelaws as they may deem necessary or expedient for the proper conduct and management of the CIO, but such rules or bye laws must not be inconsistent with any provision of this constitution. Copies of any such rules or bye laws currently in force must be made available to any member of the CIO on request.

27. Disputes

If a dispute arises between members of the CIO about the validity or propriety of anything done by the members under this constitution, and the dispute cannot be resolved by agreement, the parties to the dispute must first try in good faith to settle the dispute by mediation before resorting to litigation.

28. Amendment of constitution

As provided by sections 224-227 of the Charities Act 2011:

(1) This constitution can only be amended:

(a) by resolution agreed in writing by all members of the CIO; or

(b) by a resolution passed by a 75% majority of those voting at a general meeting of the members of the CIO called in accordance with clause 17 (General meetings of members).

(2) Any alteration of the CIO's objects, of any provision of the CIO's constitution directing the application of property on its dissolution or any provision of the CIO's constitution where the alteration would provide authorisation for any benefit to be obtained by charity trustees or members of the CIO or persons connected with them, requires the prior written consent of the

Charity Commission.

(3) No amendment that is inconsistent with the provisions of the Charities Act 2011 or the General Regulations shall be valid.

(4) A copy of every resolution amending the constitution, together with a copy of the CIO's constitution as amended must be sent to the Commission by the end of the period of 15 days beginning with the date of passing of the resolution.

29. Voluntary winding up or dissolution

(1) As provided by the Dissolution Regulations, the CIO may be dissolved by resolution of its members. Any decision by the members to wind up or dissolve the CIO can only be made:

(a) at a general meeting of the members of the CIO called in accordance with clause 17 (General meetings of members), of which not less than 14 days' notice has been given to those eligible to attend and vote:

(i) by a resolution passed by a 75% majority of those voting, or

(ii) by a resolution passed by decision taken without a vote and without any expression of dissent in response to the question put to the general meeting; or

(b) by a resolution agreed in writing by all members of the CIO.

(2) Subject to the payment of all the CIO's debts:

(a) Any resolution for the winding up of the CIO, or for the dissolution of the CIO without winding up, may contain a provision directing how any remaining assets of the CIO shall be applied.

(b) If the resolution does not contain such a provision, the charity trustees must decide how any remaining assets of the CIO shall be applied.

(c) In either case the remaining assets must be applied for charitable purposes the same as or similar to those of the CIO.

(3) The CIO must observe the requirements of the Dissolution Regulations in applying to the Commission for the CIO to be removed from the Register of Charities, and in particular:

(a) the charity trustees must send with their application to the Commission:

(i) a copy of the resolution passed by the members of the CIO;

(ii) a declaration by the charity trustees that any debts and other liabilities of the CIO have been settled or otherwise provided for in full; and

(iii) a statement by the charity trustees setting out the way in which any property of the CIO has been or is to be applied prior to its dissolution in accordance with this constitution;

(b) the charity trustees must ensure that a copy of the application is sent within seven days to every member and employee of the CIO, and to any charity trustee of the CIO who was not privy to the application.

(4) If the CIO is to be wound up or dissolved in any other circumstances, the provisions of the Dissolution Regulations must be followed.

30. Interpretation

In this constitution:

"**connected person**" means:

(a) a child, parent, grandchild, grandparent, brother or sister of the charity trustee;

(b) the spouse or civil partner of the charity trustee or of any person falling within sub-clause (a) above;

(c) a person carrying on business in partnership with the charity trustee or with any person falling within sub-clause (a) or (b) above;

(d) an institution which is controlled –

(i) by the charity trustee or any connected person falling within sub-clause (a), (b), or (c) above; or

(ii) by two or more persons falling within sub-clause (d)(i), when taken together

(e) a body corporate in which –

(i) the charity trustee or any connected person falling within sub-clauses (a) to (c) has a substantial interest; or

(ii) two or more persons falling within sub-clause (e)(i) who, when taken together, have a substantial interest.

Section 118 of the Charities Act 2011 apply for the purposes of interpreting the terms used in this constitution.

"General Regulations" means the Charitable Incorporated Organisations (General) Regulations 2012.
"Dissolution Regulations" means the Charitable Incorporated Organisations (Insolvency and Dissolution) Regulations 2012.

The **“Communications Provisions”** means the Communications Provisions in [Part 9, Chapter 4] of the General Regulations.
“charity trustee” means a charity trustee of the CIO.

A **“poll”** means a counted vote or ballot, usually (but not necessarily) in writing

David Barker Bequest Committee- Terms of Reference

The Committee is responsible to the Council and has the following remit:

1	**MEMBERSHIP**	The Committee will consist of at least 5 members of the Council. The Chairperson will be chosen by full Council and will hold office until the next Annual Meeting of the Council. All Council members not appointed to the Committee are to receive notification of the agenda and may attend in a non-voting capacity. Members/former members of the Matlock Civic Association can be seconded to the committee in an advisory capacity and as non-voting members.
2	**QUORUM**	The quorum shall be a minimum of 3 members
3	**VOTING**	Members shall vote by show of hands, or if at least two members so request, by recorded vote. The Chairman shall in the case of an equality of votes, have a second or casting vote.
4	**MEETINGS**	Meetings will usually be held every 3 months on a Monday evening as amount of business dictates. The public and press shall be admitted to all meetings, which may however, temporarily exclude them by means of a resolution. **Confidential Business:** Members of the Committee should not disclose matters of a confidential nature to any person **not** a member of Matlock Town Council. Any member doing so shall be removed from the Committee by the Council.
5	**FUNCTION**	To provide effective management of the David Barker Bequest. To ensure the charity constitution is followed. To ensure the following objectives are met: *1. To educate the public in the geography, history, natural history and architecture of the area of Matlock.*

		2. The preservation, protection, development and improvement of buildings and other features of historic or public interest by promoting high standards of planning, design and architecture in or affecting Matlock. *3. To design and implement civic improvement and heritage conservation projects.*
6	**DELEGATED POWERS**	The Committee has full delegated powers over the Council's running of the charity.
7	**REPORTING TO COUNCIL**	The minutes from each meeting will be presented to Full Council or A decision shall be taken at each Committee meeting as to whether any items should be referred up to Full Council.
8	**REVISION**	A review of David Barker Bequest Committee membership and its duties will be taken annually, in May.

Matlock TOWN COUNCIL

MEETING SCHEDULE 2026-2027

MEETINGS ARE HELD ON MONDAYS AND START AT 6PM (Planning at 5:30pm)

	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY
FULL COUNCIL	18th*		20th		28th		16th		18th		15th		17th*
CORPORATE COMMITTEE ***		15th		17th		19th		21st		15th		19th	
ENVIRONMENT COMMITTEE		1st		3rd		5th		7th		1st		5th	
EVENTS COMMITTEE	11th		6th		7th		2nd		4th		1st		10th
DBB CHARITY COMMITTEE		29th				26th			25th			26th	
PLANNING COMMITTEE		15th		17th		19th		21st		15th		19th	
ANNUAL TOWN MEETING** ANNUAL MEETING OF THE TOWN COUNCIL*	18th**												17th**

* ANNUAL MEETING OF MATLOCK TOWN COUNCIL — Should be held on the fourth day after the date of the election or within fourteen days thereafter. — Starts at 6pm

** ANNUAL TOWN MEETING — Should be held between 1 March and 1 June each year — Starts 5:30pm

*** TO FOLLOW DIRECTLY AFTER PLANNING MEETING

25

GROUNDWORKS SLA 2026-2029

1st April 2026 – 31st March 2029 (3 Years)

Matlock Town Council has again committed to funding a Project Officer from Groundwork Five Counties to work 1 day a week (currently Thursdays) over a 3 year period from 1st April 2026. This is a further extension of a working partnership which began in November 2006.

The Council has approved £12,000 per annum towards Groundwork Five Counties Project Officer time, to deliver an annual Work Programme which will be agreed with Matlock Town Council and will include specific details of work required on each of Matlock Town Council's sites throughout Matlock. (eg pruning and tidy up on Wild Thyme garden, repairing allotment boundaries etc.)

Quarterly review of progress on the Work Programme with Matlock Town Council offer the opportunity to add or amend items on the Work Programme, for example, to add support for various restorative projects as they arise throughout the year.

The Project Officer will continue to work with schools and local groups as opportunities arise through additional sources of funding secured by either party. Groundwork Five Counties will provide additional support to the project officer to assist, where possible, with funding bids to add value to Matlock Town Council's funding to Groundwork Five Counties, such as was achieved through the Natural Neighbourhoods programme.

Receipts will be provided for minor revenue costs for Personal Protective Equipment of volunteers and their refreshments (tea/coffee/biscuits). These costs will continue to be paid direct by Matlock Town Council. These costs along with volunteer travel expenses are, wherever possible, written in to bids for external funding, so that Matlock Town Council is funded for such costs.

Capital costs of improvement works facilitated by the Project Officer will be agreed with Matlock Town Council and met, where appropriate, by Matlock Town Council or through external bids as above.

Since the partnership began in 2006, the focus of the work has been on volunteer involvement in Denefields to maintain and improve the site for people and wildlife, as well as work on several other sites for which Matlock Town Council is responsible, e.g. Bailey's Tump (Asker Lane), The Wild Thyme Community Garden (Wellington Street), The Allotments (Chesterfield Road, Matlock), Hillside (Diana Memorial) Garden and Megdale Orchard. The Project Officer has organised considerable involvement from the wider community on Denefields and the Denefield Rangers Volunteer group is extremely well attended and well established now.

Within the scope of this agreement it is likely that Matlock Town Council will acquire land at the rear of Starkholmes village hall and other potential sites may be granted to the Town Council due to the Local Government Reorganisation. Any new area not mentioned here will be amended to a new SLA and resigned by both parties.

The detailed management report produced by Groundwork Five Counties in June 2019 for Denefields, continues to provide the basis for management development of the site. Matlock Town Council will work with the Project Officer to take forward these developments and to seek funding where it may be required.

Matlock Town Council and Groundwork Five Counties have a firm commitment to continue weekly sessions of Volunteer Rangers, including wider community involvement within the Council's area and it is anticipated that these will remain the main focus of the Project Officer's work.

Since declaring a Climate and Ecological Emergency in June 2019, one of Matlock Town Council's priorities is sustainability and it is looking to develop its green spaces and planting to encourage wildlife and become more environmentally friendly. The Project Officer will continue to work with Matlock Town Council on this and provide advice and guidance on how this can be achieved, as well as helping with practical support.

The Project Officer will:

- Produce and distribute regular publicity about project activities for Matlock Town Council
- Produce quarterly progress reports for Matlock Town Council
- Be line managed by Groundwork Five Counties, with day to day liaison with Matlock Town Council Town Clerk (or deputies) on operational issues as necessary.
- Maintain lines of communication with the outdoor team from Matlock Town Council in order to plan non conflicting work