

Nonsuch Park Joint Management Committee
24 March 2025

SIGNING PROBATE/ADMINISTRATION PAPERS

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author	Samantha Whitehead
Wards affected:	Nonsuch Ward;
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Exempt Appendix 1: Details of Gift to Nonsuch Park

Summary

This report seeks to nominate and authorise the Chief Executive of Epsom & Ewell and Clerk to the Nonsuch Committee to deal in obtaining probate/administration and sign all the necessary paperwork in connection with the same.

Recommendation (s)

The Committee is asked to:

- (1) Nominate and authorise the Chief Executive of Epsom & Ewell Borough Council and Clerk to the Nonsuch Park Joint Management Committee to act in all applications for Probate/administration of estate purposes and sign all papers in connection with such applications.**
- (2) Nominate and authorise the Chief Executive of Epsom & Ewell Borough Council and Clerk to the Nonsuch Park Joint Management Committee to act in the application for Probate/administration and sign all papers in connection with the application set out in Exempt Appendix 1.**

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1 Reason for Recommendation

- 1.1 The committee is asked to approve the Chief Executive of Epsom & Ewell Borough Council and Clerk to the Committee, in collaboration with Epsom & Ewell Borough Council's legal team, to act on behalf of the Nonsuch Park Joint Management Committee in all matters relating to probate, estate administration, and gifts bequeathed to Nonsuch Park.

2 Background

- 2.1 To progress any matters relating probate, estate administration, gifts and legacies left to Nonsuch Park, the Nonsuch Park Joint Management Committee need to nominate and authorise the Chief Executive of Epsom & Ewell Borough Council and Clerk to the Nonsuch Park Joint Management Committee to act on its behalf.

2.2 Risk Assessment

Legal or other duties

2.3 Equality Impact Assessment

- 2.3.1 None for the purpose of this report

2.4 Crime & Disorder

- 2.4.1 None for the purpose of this report

2.5 Safeguarding

- 2.5.1 None for the purpose of this report

2.6 Dependencies

- 2.6.1 Progressing matters relating to probate, estates, administration, legacies and gifts to the park is dependent on the nominated officer having the delegated authority to act on behalf of the Nonsuch Park Joint Management Committee.

2.7 Other

- 2.7.1 None

3 Financial Implications

- 3.1 Any legal costs incurred from matters arriving from receipt of legacies and gifts will be deducted from any proceeds.
- 3.2 **Section 151 Officer's comments:** Financial implications are included in the body of the report.

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4 Legal Implications

- 4.1 A bequest to a public body is a voluntary gift left in a will, typically in the form of money, property, or assets, intended to support a specific purpose or the general benefit of the organisation. These gifts are legally administered by the recipient body in accordance with the donor's wishes and any relevant regulations.
- 4.2 **Legal Officer's comments:** As set out above.

5 Policies, Plans & Partnerships

- 5.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Effective Council
- 5.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 5.3 **Climate & Environmental Impact of recommendations:** None
- 5.4 **Sustainability Policy & Community Safety Implications:** None
- 5.5 **Partnerships:** None

6 Background papers

- 6.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- None