

# Public Document Pack



Cyngor Sir  
**CEREDIGION**  
County Council

Neuadd Cyngor Ceredigion, Penmorfa,  
Aberaeron, Ceredigion SA46 0PA  
[ceredigion.gov.uk](http://ceredigion.gov.uk)

01.11.2023

Dear Sir / Madam

I write to inform you that a Meeting of the Charity Trustee Committee will be held at NEUADD CYNGOR CEREDIGION, PENMORFA, ABERAERON AND REMOTELY VIA VIDEO CONFERENCE on Monday, 6 November 2023 at 11.30am for the transaction of the following business:

1. **Apologies**
2. **Disclosures of personal and prejudicial interests**
3. **To consider the Minutes of the Meeting of the Charity Trustee Committee held on 29 June 2023 and to consider any matters arising from those minutes (Pages 3 - 6)**
4. **To receive a report upon the draft Annual Trustee Reports 2022-2023 (Pages 7 - 42)**
5. **To receive a report on the New Quay Library and Reading Room - update (Pages 43 - 44)**
6. **To receive a verbal update upon the Tregaron Sub-Group**
7. **To receive a report on proposed amendments to the Terms of Reference of the Charity Trustee Committee (Pages 45 - 48)**

Members are reminded to sign the Attendance Register

A Translation Services will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'L Edwards'.

**Miss Lowri Edwards**  
**Corporate Lead Officer: Democratic Services**

**To: Chairman and Members of Charity Trustee Committee**  
The remaining Members of the Council for information only.

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**Minutes of the Meeting of CHARITY TRUSTEE COMMITTEE  
held at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron and remotely  
via video conference on Thursday, 29 June 2023**

**PRESENT:** Councillor Keith Evans (Chair), Councillors Endaf Edwards, Elaine Evans, Gwyn Wigley Evans, Rhodri Evans, Wyn Evans, Chris James and Caryl Roberts

**Also in attendance:** Councillors Gareth Lloyd and Wyn Thomas

**Officers in attendance:** Louise Harries, Solicitor; and Nia Jones, Democratic Services Manager (minutes).

(11.30am - 12.13pm)

**1 Apologies**

Councillors Marc Davies and Ceris Jones apologised for their inability to attend the meeting.

**2 Disclosures of personal and prejudicial interests**

Councillors Rhodri Evans, Wyn Evans and Chris James noted a personal interest in relation to item 4 on the agenda.

**3 To confirm the Minutes of the Meeting of the Charity Trustee Committee held on 22 March 2023 and to consider any matters arising from those minutes**

It was **RESOLVED** to confirm as a true record the minutes of the meeting held on 22 March 2023.

**Matters arising**

Members noted that they had requested greater clarity in relation to the interest paid on the accounts, and for a breakdown of the accounts for each of the Charities held in trust, including the asset value. It was noted that Finance would be requested to produce reports for the next meeting.

**4 To receive a report on the Former Tregaron County School - sub-group**

Louise Harries presented the report noting that a public consultation was held this year for a period of 8 weeks to seek suggestions from the public on how the trust money should be spent to advance the education of pre-school and school-age children in Tregaron. It was noted that an 'Easy Read' version was provided for children and those who wanted a snapshot of the information, and that the consultation was promoted via a press-release and social media posts in addition to contacting specific consultees in the Tregaron area. A sub-group which included Members of this Committee met on 23<sup>rd</sup> May 2023 to consider the responses and consider recommendations to be presented to the Charity Trustee Committee.

It was noted that 25 responses were received, most of which related to sporting facilities. This view was supported by the Sub-Group with a

recommendation that delegation is given to officers to discuss with officers in Leisure and Education Services (now Porth Cymorth Cynnar and Schools and Culture Services), together with representatives from the Sub-group.

It was also clarified that the funds held in trust could be used for either capital or revenue funding, as the Trust does not fall under the same requirements as that of the Council.

Members noted the importance of conducting a feasibility study in order to maximise the opportunities available, emphasising that this is an exciting and extremely important development for the Tregaron area.

Following discussion, Members noted the responses to the public consultation and recommendations from the Sub-group, and unanimously **RESOLVED:**

- a) That officers, on the Trustees behalf identify appropriate officers from Porth Cymorth Cynnar and Schools and Culture services to discuss sporting facilities grant funding options; and
- b) That the Sub-group, consisting of the officers identified in the above recommendation and current sub-group members, meet to further discuss those funding options and provide recommendations back to Committee.

## **5 To receive a report on the New Quay Library and Reading Room**

Louise Harries presented the report to the Committee noting that a public consultation was held from February of this year for a period of 10 weeks to consider a proposal to change the purpose of the asset held in trust to be 'the advancement of education of the inhabitants of New Quay', asking that if they did not agree, what use they would suggest the trust assets be put towards.

The consultation was promoted via a press release and social media, and specific local consultees were also notified of the consultation. New Quay Community Library were thanked for putting up posters relating to the consultation in the Library and New Quay Memorial Hall and for allowing paper versions to be held at the library should users wish to fill out hardcopies.

It was noted that there were 32 formal responses to the consultation as well as 9 comments under the council's Facebook posts. Two-thirds of the respondents agreed with the proposal to amend the purpose of the trust, and as such the trust can consider resolving to apply to the Charity Commission to change the purpose of the trust, however it was noted that unlike Tregaron, there wasn't a clear theme appearing from the consultation and that a number of the responses did not fall under the remit of proposed purpose.

It was also noted that a conditions survey had been conducted by Ceredigion Property Services and Grounds Maintenance, which found that the property was not suitable for use and would require significant investment. The Trust currently holds just over £1,000 in cash and may be subject to additional

outgoings in relation to the disconnection of electricity, details of which will be provided at the next meeting.

As the Trust is therefore not in a position to carry out the necessary work, it was recommended that the Trust seek the views of the Community of New Quay if there are any groups, organisations or individual interested in taking on the lease of the building, and applying for grant funding, as happened with the New Quay Memorial Hall. Members noted that if there was no local interest, the Committee may need to consider alternative options for its future use.

Following discussion, Members noted the responses to the public consultation, and it was **RESOLVED**: to ask the inhabitants of New Quay through a press release and direct contact with specific consultees (similar to those referenced in paragraph 2.2 of the accompanying report to the resolution) whether any group or organisation are interested in taking on the trust site for educational purposes and seeking grant funding for that purpose. A deadline for responses to be given of one month from press release/contact. A report shall be brought back to the next available Committee.

**6 To receive a report on the New Quay Memorial Hall update 2022-2023**

Louise Harries presented the Annual report of the New Quay Memorial Hall update 2022-23 to the Committee. It was noted that there has been a lot going on and that they are doing really well. Since presenting the report, the New Quay Memorial Hall Committee has provided a further verbal update, noting that they have received £144,000 in National Lottery funding which will facilitate a full-time development post for 3 years overseeing activities and developing a programme of events.

Members congratulated the Committee on their success, noting that it is really positive and heart-warming to hear about the successes, and demonstrating what a committed group of volunteers can achieve for everyone in their community.

**7 Any other business**

Councillor Gwyn Wigley Evans asked that the Chair write a letter to the Head of Democratic Services regarding the loss of signal during hybrid meetings.

**Confirmed at the Meeting of the Charity Trustee Committee held on 11  
September 2023**

**Chairman:**\_\_\_\_\_

**Date:**\_\_\_\_\_

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## CYNGOR SIR CEREDIGION COUNTY COUNCIL

**Report to:** Charity Trustee Committee

**Date of meeting:** 6 November 2023

**Title:** Annual Trustee Reports 2022-2023

**Purpose of the report:** To consider the draft annual trustee reports for 2022-2023

**For:** Decision

### **Background**

#### **1. ANNUAL TRUSTEE REPORTS**

1.1 Under s.162 of the Charities Act 2011 charity trustees of charities registered with the Charity Commission are required to prepare an annual report in relation to their charity in each financial year.

1.2 Historically the Council had not undertaken this task however, as per this Committee's decision at its meeting on the 26<sup>th</sup> of September 2022, annual reports will now be prepared by officers and presented to the Charity Trustee Committee for consideration and approval annually. The draft reports for 2022-2023 have been prepared for the 5 registered charities (**Appendix 1 – 5**) as follows:

- War Memorial Hall, New Quay;
- New Quay Library and Reading Room;
- The COE Memorial Educational Foundation;
- Cardiganshire Intermediate and Technical Education Fund; and
- Charity of Richard James Thomas.

1.3 In accordance with Charity Commission guidance on their website, where a charity's income is under £500,000 a simple report can be compiled. Reports are only required to be submitted to the Commission if the charity's income is more than £25,000, however the charity would have to send the Commission a copy should they ever ask for it.

1.4 In the case of the 5 charities mentioned above, none have income exceeding £25,000 for the financial year 2022-2023 therefore the reports do not require submission to the Commission.

1.5 S.17(5) of the Charities Act 2011 and the Charities (Accounts and Reports) Regulations 2008 require charity trustees to have regard to the Charity Commission's guidance on public benefit when exercising any powers or duties

to which the guidance would be relevant and make a statement to this effect in the annual report. The Commission's guidance on the annual report states that if all the trustees have not read the guidance then a statement should be made that discloses this fact. Committee resolved on the 26<sup>th</sup> September 2022 "that all Members of the Charity Trustee Committee will read the two Charity Commission guidance documents (PB2 and PB3) set out at Appendix 6 of this report and confirm at the next Committee meeting that they have read the guidance." Unfortunately, not all Members of the Committee have confirmed this to officers therefore you will note a statement to this effect inserted into the draft annual reports in the '*Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)*' section.

- 1.6 As per the statement in the draft annual reports, the Commission's public benefit guidance PB2 and PB3 are attached as Appendix 6 for all Members of the Committee to read and, once all Members have read the same, the trustee will be able to state in next year's annual reports that the guidance has been read.

#### **Recommendation(s):**

**That the Committee:**

- 1. APPROVES the 5 draft annual trustee reports set out in Appendices 1-5 of this report and that the Chair of the Charity Trustee Committee shall sign and date clean copies of the same on behalf of the charity trustee; and**
- 2. RESOLVES that all Members of the Charity Trustee Committee will read the two Charity Commission guidance documents (PB2 and PB3) set out at Appendix 6 of this report and confirm at the next Committee meeting that they have read the guidance.**

#### **Reasons for decision:**

**To ensure compliance with the requirements of the Charities Act 2011.**

#### **Appendices:**

**Appendix 1** - Trustee Annual Report: War Memorial Hall 2022-2023

**Appendix 2** - Trustee Annual Report: New Quay Library and Reading Room 2022-2023

**Appendix 3** - Trustee Annual Report: The COE Memorial Educational Foundation 2022-2023

**Appendix 4** - Trustee Annual Report: Cardiganshire Intermediate and Technical Education Fund 2022-2023

**Appendix 5** - Trustee Annual Report: Charity of Richard James Thomas 2022-2023

**Appendix 6** - Charity Commission Guidance PB2 and PB3

**Head of Service:** Elin Prysor, CLO Legal and Governance



**Reporting Officer:** Louise Harries, Senior Lawyer - Non-Contentious (Property)

**Date:** 11<sup>th</sup> October 2023

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# Trustees' Annual Report for the period

Period start date				Period end date			
From	01	04	2022	To	31	03	2023

## Section A Reference and administration details

Charity name

Other names charity is known by

Registered charity number (if any)

Charity's principal address

Postcode

### Names of the charity trustees who manage the charity

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Ceredigion County Council	N/A	N/A	N/A
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### Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year
N/A	

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### Names and addresses of advisers (Optional information)

Type of adviser	Name	Address
<b>Legal (Internal)</b>	Louise Harries - Legal Services	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA
<b>Finance (Internal)</b>	Chris Macey – Finance	Canolfan Rheidol, Llanbadarn Fawr, Aberystwyth, Ceredigion
<b>Estates (Internal)</b>	Andrew Harries – Estates Section	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA

### Name of chief executive or names of senior staff members (Optional information)

N/A

## Section B Structure, governance and management

### Description of the charity's trusts

Type of governing document (eg. trust deed, constitution)	Charity Commission Scheme 02/07/1975 as affected by a Charity Commission Scheme 09/12/1998
How the charity is constituted (eg. trust, association, company)	Trust
Trustee selection methods (eg. appointed by, elected by)	N/A as only one trustee but the Council as trustee appoints elected members to its Charity Trustee Committee which take decisions on behalf of the trustee.

### Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

As described above, the trustee has a Charity Trustee Committee which is set up in the Council's Constitution and which takes decisions for the trustee.

All members of the Committee are provided with trustee training when being appointed to the Committee.

Any decisions taken by the Committee are actioned by officers of the Council.

## Section C Objectives and activities

**Summary of the objects of the charity set out in its governing document**

The object of the charity is the provision and maintenance of a village hall and recreation grounds for the use of the inhabitants of New Quay and the neighbourhood thereof without distinction of political, religious or other opinions, including use for meetings, lectures and classes, and for other forms of recreation and leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.

To hold the land and buildings on trust for the purposes of a village hall and recreation grounds as above. The land and buildings held under this trust are the New Quay Memorial Hall and New Quay bowling green.

In relation to the land known as New Quay bowling green held under this trust, the land is leased out to the trustees of the New Quay Bowling Club on a 99 year lease dated 18/08/2003 which commenced on 01/04/2000. The lease was consented to by a Charity Commission Scheme dated 09/12/1998. The permitted use under the lease is use for the formal activities of a bowls club namely as a pavilion and bowling greens. This permitted use furthers the objects of the charity and are for the public benefit as use for bowls is a leisure/recreation occupation and would improve the conditions of life for those inhabitants that utilised the facility.

In relation to the land known as New Quay War Memorial Hall, the Hall is leased out to 'New Quay Memorial Hall' (charity number 1179995), a Charitable Incorporated Organisation ("the CIO"), on a 99 year lease dated, and commencing from, 10/02/2020. The permitted use under the lease is use for community based activities and other uses within the objects of the War Memorial Hall (Charity no. 503653) being use as a village hall for the use of the inhabitants of New Quay and the neighbourhood thereof without distinction of political, religious or other opinions, including use for meetings, lectures and classes, and for other forms of recreation and leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.

The above, fits well within the objects of the charity and therefore through the CIO leasing the property so that it can remain open the inhabitants of New Quay and the surrounding area can use the property which improves the conditions of life in New Quay.

As per the terms of the lease, the CIO must provide the trustee with an annual summary setting out the use that the property has been put to during the past 12 months and the current update is as follows:

*"The charity was formed in September 2018 when the activities, assets and liabilities of the previous 'War Memorial Hall' were transferred, and a new lease granted by the Ceredigion County Council to a new committee to re-organise and provide services to local inhabitants.*

*The Memorial Hall was closed for full renovation work following the WG grant, from early January 2020. This was followed by the Covid-19 Lockdown from March 2020, which extended into early 2022.*

*The Hall is now fully accessible both upstairs to the main Hall and downstairs to the snooker club and meeting rooms. Ramped access and safety rails, reserved disabled parking, CCTV, fully accessible toilets and baby changing areas are all now in place benefitting all age groups. A new fire door has been fitted to access the emergency exit steps, Wi-fi is available throughout the Hall, and we received a grant from CCC-Cynall y Cardi for a Hybrid 72" screen enabling hybrid meetings, training and events.*

*By April 2022 there was a gradual reopening of meetings, events and sports activities.*

**Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)**

*The New Quay Library, now run by volunteers, was opened in Room 4 at the Hall in October 2021 with initially a click and collect service. By early 2022 it was fully open.*

*The Friday Community Market resumed in April 2022, and was soon well booked with tables offering local crafts, donated bric a brac, produce, jams, eggs, cakes and savouries, plus a Volunteer run café.*

*Rural Futures Wales – Severn Wye, and Cwmpas - Social Business Wales, have continued to help and advise the Trustees, throughout 2022 and are currently helping the Trustees to apply for National Lottery funding for a full time Hub Coordinator to supplement the work of the Trustees and Volunteers. All Trustees have now attended Trustee training sessions.*

*New in August 2022 was the introduction of donated pre-loved clothing and school uniform 'The Clothes Rail Project'. The local response has been tremendous. This has prevented a huge amount of textiles being sent to landfill and filled an obvious need for low cost clothing.*

*This proved particularly successful and during the worst cold weather for many years in November / December 2022 we were able to provide free winter clothing for anyone who required it.*

*New in the Autumn of 2022 and the onset of the 'Cost of Living Crisis', was the need for a 'Warm Space'. With the help of a grant from CAVO we were able to provide a warm friendly environment run weekly by volunteers with a variety of craft activities, Wi-fi, hot drinks and snacks. Our fundraising activities and increased sports use of the Hall has required additional storage facilities and we have now purchased a storage unit to house the additional equipment and donations.*

*Weekly and monthly events and activities at the Hall in 2022 included a weekly market and café, family support and nurture services, Yoga, Clonc – Welsh conversation, Salsa, table tennis, badminton, Qingong, and a variety of crafts and wellbeing groups. Also WI-Seaside Sisters, Camera Club, Cor-Cei – choir, Snooker Club and British Legion.*

*Additional users of the Hall include the Town Council, Council Election Services, Blood Transfusion Services, New Quay Yacht Club, RNLI, New Quay Primary School, Scout Association Cubs and Beavers, and very importantly, the local fundraising group, 'Working 4 New Quay – W4NQ', who have organised a variety of events at the Hall for all age groups throughout the year.*

*Plans for the future include a full time Hub Coordinator for 3 years – subject to a successful Lottery bid, a new club for young people in partnership with the Urdd Centre, an indoor bowls group, a baby toys and equipment loan service, mother and toddler group, Luncheon Club and a community mini bus in partnership with Dolen Teifi.*

*The Hall also continues to be used for training events, meetings, exhibitions, music events, family parties and celebrations.*

*Volunteers continue to be vital to the running of the Hall and the Library, however, all the wonderful volunteers are busy people and we would love to have more help, let us know if you can spare a few hours occasionally to help out.*

*We would like to thank our volunteers and many supporters, CAVO, Severn Wye Rural Futures Group, Working 4 New Quay, The Seahorse and everyone who has donated to our fundraising events."*

*Whilst the charity when making decisions do act for the benefit of the charity and the public it has not specifically reviewed the Charity Commission's guidance entitled 'Public benefit: reporting (PB3)' at its Charity Trustee Committee meetings and cannot confirm that all members of the Charity Trustee Committee have read the guidance*

especially as some members will be new to the Committee therefore the charity intends to circulate the guidance (both PB3 and PB2) to the members of its Committee at the next meeting and will reference the same in future decision making.

**Additional details of objectives and activities (Optional information)**

The trustee notes and praises the contribution made by its tenants of the Bowling Club and New Quay Memorial Hall in continuing to operate facilities for the benefit of the inhabitants of New Quay as per the objectives of the charity.

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.





## Section D

## Achievements and performance

**Summary of the main achievements of the charity during the year**

As the bowling green and Memorial Hall are leased out then the charity has little input into the sites on a day-to-day basis however the leases remain and the permitted uses (as can be seen from Section C above) provide facilities to the beneficiaries of the charity as per its objects.

## Section E Financial review

**Brief statement of the charity's policy on reserves**

N/A – no reserves policy.

**Details of any funds materially in deficit**

N/A

### Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

None.

## Section F Other optional information

None.

## Section G Declaration

The trustees declare that they have approved the trustees' report above.

**Signed on behalf of the charity's trustees**

**Signature(s)**

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**Full name(s)**

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**Position (eg Secretary, Chair, etc)**

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**Date**

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# Trustees' Annual Report for the period

Period start date				Period end date			
From	01	04	2022	To	31	03	2023

## Section A Reference and administration details

Charity name

Other names charity is known by

Registered charity number (if any)

Charity's principal address

Postcode

### Names of the charity trustees who manage the charity

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Ceredigion County Council	N/A	N/A	N/A
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### Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year
N/A	

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### Names and addresses of advisers (Optional information)

Type of adviser	Name	Address
<b>Legal (Internal)</b>	Louise Harries - Legal Services	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA
<b>Finance (Internal)</b>	Chris Macey – Finance	Canolfan Rheidol, Llanbadarn Fawr, Aberystwyth, Ceredigion
<b>Estates (Internal)</b>	Andrew Harries – Estates Section	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA

### Name of chief executive or names of senior staff members (Optional information)

N/A

## Section B Structure, governance and management

### Description of the charity's trusts

Type of governing document (eg. trust deed, constitution)	Trust deed 1 <sup>st</sup> Feb 1952 and Declaration of Trust 17/04/1958
How the charity is constituted (eg. trust, association, company)	Trust
Trustee selection methods (eg. appointed by, elected by)	N/A as only one trustee but the Council as trustee appoints elected members to its Charity Trustee Committee which take decisions on behalf of the trustee.

### Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

As described above, the trustee has a Charity Trustee Committee which is set up in the Council's Constitution and which takes decisions for the trustee.

All members of the Committee are provided with trustee training when being appointed to the Committee.

Any decisions taken by the Committee are actioned by officers of the Council.

## Section C Objectives and activities

**Summary of the objects of the charity set out in its governing document**

New Quay Library and Reading Room is a property held by the trustee on trust (“the Property”).

The object of the charity is to erect a library and reading room (which was achieved and is now the Property) and to permit the Property to be used as a site for a library and reading room for the benefit of the inhabitants of New Quay.

**Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)**

For many years New Quay Town Council has been operating under a service level agreement to provide library services at the Property. The latest agreement was entered into in 2016.

However the library provision relocated to New Quay Memorial Hall as of 01/11/2021 therefore the Property has been vacant since this date.

The trust is currently under review by the trustee to alter the purpose of the trust and ascertain whether there is a third party willing to take on the site for the new purposes of the trust.

Whilst the charity when making decisions do act for the benefit of the charity and the public it has not specifically reviewed the Charity Commission’s guidance entitled ‘Public benefit: reporting (PB3)’ at its Charity Trustee Committee meetings and cannot confirm that all members of the Charity Trustee Committee have read the guidance especially as some members will be new to the Committee therefore the charity intends to circulate the guidance (both PB3 and PB2) to the members of its Committee at the next meeting and will reference the same in future decision making.

**Additional details of objectives and activities (Optional information)**

None.

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

## Section D

## Achievements and performance



## Section D

## Achievements and performance

Summary of the main achievements of the charity during the year

Ongoing review.

## Section E Financial review

**Brief statement of the charity's policy on reserves**

N/A – no reserves policy.

**Details of any funds materially in deficit**

N/A

### Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

None.

## Section F Other optional information

None.

## Section G Declaration

The trustees declare that they have approved the trustees' report above.

**Signed on behalf of the charity's trustees**

**Signature(s)**

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**Full name(s)**

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**Position (eg Secretary, Chair, etc)**

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**Date**

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# Trustees' Annual Report for the period

Period start date				Period end date			
From	01	04	2022	To	31	03	2023

## Section A Reference and administration details

Charity name

The COE Memorial Educational Foundation

Other names charity is known by

Registered charity number (if any) 525324

Charity's principal address

Penmorfa, Aberaeron, Ceredigion

Postcode

SA46 0PA

### Names of the charity trustees who manage the charity

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Ceredigion County Council	N/A	N/A	N/A
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### Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year
N/A	

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### Names and addresses of advisers (Optional information)

Type of adviser	Name	Address
<b>Legal (Internal)</b>	Louise Harries - Legal Services	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA
<b>Finance (Internal)</b>	Chris Macey – Finance	Canolfan Rheidol, Llanbadarn Fawr, Aberystwyth, Ceredigion
<b>Estates (Internal)</b>	Andrew Harries – Estates Section	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA

### Name of chief executive or names of senior staff members (Optional information)

N/A

## Section B Structure, governance and management

### Description of the charity's trusts

Type of governing document (eg. trust deed, constitution)	Charity Commission Scheme 25/06/1973
How the charity is constituted (eg. trust, association, company)	Trust
Trustee selection methods (eg. appointed by, elected by)	N/A as only one trustee but the Council as trustee appoints elected members to its Charity Trustee Committee which take decisions on behalf of the trustee.

### Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

As described above, the trustee has a Charity Trustee Committee which is set up in the Council's Constitution and which takes decisions for the trustee.

All members of the Committee are provided with trustee training when being appointed to the Committee.

Any decisions taken by the Committee are actioned by officers of the Council.

## Section C Objectives and activities

**Summary of the objects of the charity set out in its governing document**

The object of the charity is: after payment of any expenses of administration, the net yearly income shall be applied for the benefit of beneficiaries in one or more of the following ways: (a) in the award to beneficiaries of scholarships, maintenance allowances, or grants tenable to any school, university, university college, college of education or other place of learning approved by the Council; (b) in providing financial assistance, outfits, clothing, instruments, tools or books to help beneficiaries on leaving school, a university or other educational establishment, to prepare for, or to enter a profession, trade or calling; (c) in awarding bursaries or maintenance allowances to enable beneficiaries to travel, whether in this country or abroad, to pursue their education; (d) in providing financial assistance to enable beneficiaries to study music or other arts; or (e) in otherwise promoting the education (including social and physical training) of beneficiaries.

Blaendyffryn Farm, Llandysul is held by the trustee under this trust which produces an income for the trust from its tenant.

**Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)**

As referred to above, Blaendyffryn Farm is let out under an agricultural tenancy dated 24/11/2015 (tenancy commenced on 02/01/2007) which provides income to the charity. In 2021-2022 no awards of financial assistance were provided by the charity as the trustee is awaiting the outcome of a farm review in respect of the farm condition etc in order to consider whether it needs to incur any expenditure in meeting its liabilities to the tenant under the tenancy/liabilities under legislation. Once that is known from the report then the trustee will be able to consider what assets it has remaining in the trust account in order to begin providing awards once again. It would be irresponsible of the trustee to continue to award grants when it may have financial liabilities in relation to the farm.

Officers are now proceeding with the review of Blaendyffryn Farm separately from the corporate review of all farms so that this matter can be progressed. Reports have been commissioned from Maintenance and Housing Services on the condition of the property and these are currently being reviewed by officers before recommendations can be brought before committee for decision.

Whilst the charity when making decisions do act for the benefit of the charity and the public it has not specifically reviewed the Charity Commission's guidance entitled 'Public benefit: reporting (PB3)' at its Charity Trustee Committee meetings and cannot confirm that all members of the Charity Trustee Committee have read the guidance especially as some members will be new to the Committee therefore the charity intends to circulate the guidance (both PB3 and PB2) to the members of its Committee at the next meeting and will reference the same in future decision making.

**Additional details of objectives and activities (Optional information)**

None.

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

## Section D

## Achievements and performance



## Section D

## Achievements and performance

**Summary of the main achievements of the charity during the year**

None to report – as mentioned in Section C above, no awards have been given due to the awaited farm condition and liability review.

## Section E Financial review

**Brief statement of the charity's policy on reserves**

N/A – no reserves policy.

**Details of any funds materially in deficit**

N/A

### Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

None.

## Section F Other optional information

None.

## Section G Declaration

The trustees declare that they have approved the trustees' report above.

**Signed on behalf of the charity's trustees**

**Signature(s)**

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**Full name(s)**

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**Position (eg Secretary, Chair, etc)**

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**Date**

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# Trustees' Annual Report for the period

Period start date				Period end date			
From	01	04	2022	To	31	03	2023

## Section A Reference and administration details

**Charity name** Cardiganshire Intermediate and Technical Education Fund

**Other names charity is known by**

**Registered charity number (if any)** 514597

**Charity's principal address** Penmorfa, Aberaeron, Ceredigion

Postcode SA46 0PA

### Names of the charity trustees who manage the charity

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Ceredigion County Council	N/A	N/A	N/A
2				
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### Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year
N/A	

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### Names and addresses of advisers (Optional information)

Type of adviser	Name	Address
<b>Legal (Internal)</b>	Louise Harries - Legal Services	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA
<b>Finance (Internal)</b>	Chris Macey – Finance	Canolfan Rheidol, Llanbadarn Fawr, Aberystwyth, Ceredigion
<b>Estates (Internal)</b>	Andrew Harries – Estates Section	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA

### Name of chief executive or names of senior staff members (Optional information)

N/A

## Section B Structure, governance and management

### Description of the charity's trusts

Type of governing document (eg. trust deed, constitution)	Charity Commission Scheme 30/01/1935 as amended 04/03/1949 and as amended 07/02/2019
How the charity is constituted (eg. trust, association, company)	Trust
Trustee selection methods (eg. appointed by, elected by)	N/A as only one trustee but the Council as trustee appoints elected members to its Charity Trustee Committee which take decisions on behalf of the trustee.

### Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

As described above, the trustee has a Charity Trustee Committee which is set up in the Council's Constitution and which takes decisions for the trustee.

All members of the Committee are provided with trustee training when being appointed to the Committee.

Any decisions taken by the Committee are actioned by officers of the Council.

## Section C Objectives and activities

**Summary of the objects of the charity set out in its governing document**

The object of the charity is:  
Maintenance of county schools for boys and girls at Aberaeron, Aberystwyth, Cardigan, Llandysul and Tregaron.

The following assets are held by the trust for the above objects:  
1) Part of the site of Ysgol Gyfun Aberaeron;  
2) Monies following the sale of the former Ardwyn site in Aberystwyth which now forms part of the PFI monies at Penweddig;  
3) The site of Ysgol Uwchradd Aberteifi;  
4) Part of the site of Ysgol Dyffryn Teifi;  
5) Monies held following the sale of the former Tregaron secondary school.

**Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)**

In relation to the land held at Ysgol Gyfun Aberaeron, Ysgol Uwchradd Aberteifi and Ysgol Dyffryn Teifi these sites continue to be used for education purposes in furtherance of the charity's objects.

The capital receipt from the sale of the Ardwyn site being £363,997.65p continues to be held in relation to the PFI payments at Penweddig. For clarity the capital sum is not itself to be utilised.

Following the sale of the former Tregaron School completed in March 2022, the Charity Trustee Committee sub-group is progressing discussions in relation to the use of that money in the best interests of the charity and in accordance with the Charity Commission Scheme 07/02/2019. This will be the subject of a report to the Charity Trustee Committee in the near future.

Whilst the charity when making decisions do act for the benefit of the charity and the public it has not specifically reviewed the Charity Commission's guidance entitled 'Public benefit: reporting (PB3)' at its Charity Trustee Committee meetings and cannot confirm that all members of the Charity Trustee Committee have read the guidance especially as some members will be new to the Committee therefore the charity intends to circulate the guidance (both PB3 and PB2) to the members of its Committee at the next meeting and will reference the same in future decision making.

**Additional details of objectives and activities (Optional information)**

None.

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

## Section D

## Achievements and performance



## Section D

## Achievements and performance

**Summary of the main achievements of the charity during the year**

A public consultation was undertaken to consider the best use of the funds released by the sale of the school, with work underway to progress discussions in light of the consultation responses on the use of the funds.

## Section E Financial review

**Brief statement of the charity's policy on reserves**

N/A – no reserves policy.

**Details of any funds materially in deficit**

N/A

### Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

None.

## Section F Other optional information

None.

## Section G Declaration

The trustees declare that they have approved the trustees' report above.

**Signed on behalf of the charity's trustees**

**Signature(s)**

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**Full name(s)**

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**Position (eg Secretary, Chair, etc)**

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**Date**

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# Trustees' Annual Report for the period

Period start date				Period end date			
From	01	04	2022	To	31	03	2023

## Section A Reference and administration details

Charity name

Charity of Richard James Thomas

Other names charity is known by

Registered charity number (if any) 1077218

Charity's principal address

Penmorfa, Aberaeron, Ceredigion

Postcode

SA46 0PA

### Names of the charity trustees who manage the charity

	Trustee name	Office (if any)	Dates acted if not for whole year	Name of person (or body) entitled to appoint trustee (if any)
1	Ceredigion County Council	N/A	N/A	N/A
2				
3				
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### Names of the trustees for the charity, if any, (for example, any custodian trustees)

Name	Dates acted if not for whole year
N/A	

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### Names and addresses of advisers (Optional information)

Type of adviser	Name	Address
<b>Legal (Internal)</b>	Louise Harries - Legal Services	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA
<b>Finance (Internal)</b>	Chris Macey – Finance	Canolfan Rheidol, Llanbadarn Fawr, Aberystwyth, Ceredigion
<b>Estates (Internal)</b>	Andrew Harries – Estates Section	Cyngor Sir Ceredigion, Penmorfa, Aberaeron, Ceredigion, SA46 0PA

### Name of chief executive or names of senior staff members (Optional information)

N/A

## Section B Structure, governance and management

### Description of the charity's trusts

Type of governing document (eg. trust deed, constitution)	Charity Commission Scheme 11/11/1998
How the charity is constituted (eg. trust, association, company)	Trust
Trustee selection methods (eg. appointed by, elected by)	N/A as only one trustee but the Council as trustee appoints elected members to its Charity Trustee Committee which take decisions on behalf of the trustee.

### Additional governance issues (Optional information)

You **may choose** to include additional information, where relevant, about:

- policies and procedures adopted for the induction and training of trustees;
- the charity's organisational structure and any wider network with which the charity works;
- relationship with any related parties;
- trustees' consideration of major risks and the system and procedures to manage them.

As described above, the trustee has a Charity Trustee Committee which is set up in the Council's Constitution and which takes decisions for the trustee.

All members of the Committee are provided with trustee training when being appointed to the Committee.

Any decisions taken by the Committee are actioned by officers of the Council.

## Section C Objectives and activities

**Summary of the objects of the charity set out in its governing document**

The object of the charity is:

- (1) The provision and maintenance of museums in Wales, for the exhibition to the public of a collection of objects of antiquity, local history, natural history, art, archaeology or science (including pictures, books and documents of regional, educational or scientific interest);
- (2) The extension, enhancement, conservation and maintenance of the objects comprised in the said collection; and
- (3) The provision of facilities for education and research relating to the said collection.

Yr Hen Gapel Tre'r Ddol is held by the trustee under this trust to be used as a museum in furtherance of the objects of the charity.

**Summary of the main activities undertaken for the public benefit in relation to these objects (include within this section the statutory declaration that trustees have had regard to the guidance issued by the Charity Commission on public benefit)**

Yr Hen Gapel has been used as a museum and for storage since 1999 in furtherance of its objects.

Unfortunately, the condition of the building is damp and deteriorating with storage being overcrowded posing a risk to Council employees and the collection. Whilst the Council's Perthyn grant funded project had intended to construct a new museum storage facility to house collections, this project is currently on hold. Therefore, it is likely the trust will need to be reviewed in the next 12 months due to a lack of funds. Officers are currently discussing options for the trust and will report back to the Charity Trustee Committee in due course.

Whilst the charity when making decisions do act for the benefit of the charity and the public it has not specifically reviewed the Charity Commission's guidance entitled 'Public benefit: reporting (PB3)' at its Charity Trustee Committee meetings and cannot confirm that all members of the Charity Trustee Committee have read the guidance especially as some members will be new to the Committee therefore the charity intends to circulate the guidance (both PB3 and PB2) to the members of its Committee at the next meeting and will reference the same in future decision making.

**Additional details of objectives and activities (Optional information)**

None.

You **may choose** to include further statements, where relevant, about:

- policy on grantmaking;
- policy programme related investment;
- contribution made by volunteers.

## Section D

## Achievements and performance



## Section D

## Achievements and performance

**Summary of the main achievements of the charity during the year**

No specific achievements to note and as referenced above this trust will likely be reviewed in the next 12 months due to the Perthyn project having been placed on hold and the resulting lack of funds held by the trust.

## Section E Financial review

**Brief statement of the charity's policy on reserves**

N/A – no reserves policy.

**Details of any funds materially in deficit**

N/A

### Further financial review details (Optional information)

You **may choose** to include additional information, where relevant about:

- the charity's principal sources of funds (including any fundraising);
- how expenditure has supported the key objectives of the charity;
- investment policy and objectives including any ethical investment policy adopted.

None.

## Section F Other optional information

None.

## Section G Declaration

The trustees declare that they have approved the trustees' report above.

**Signed on behalf of the charity's trustees**

**Signature(s)**

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**Full name(s)**

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**Position (eg Secretary, Chair, etc)**

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**Date**

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## CYNGOR SIR CEREDIGION COUNTY COUNCIL

**Report to:** Charity Trustee Committee

**Date of meeting:** 6<sup>th</sup> November 2023

**Title:** New Quay Library and Reading Room - update

**Purpose of the report:** To update Committee following the public call for expressions of interest

**For:** Information

### **Background**

1.1 Members will recall that on the 29<sup>th</sup> June 2023 Committee resolved:

*“to ask the inhabitants of New Quay through a press release and direct contact with specific consultees (similar to those referenced in paragraph 2.2 of the accompanying report to this resolution) whether any group or organisation are interested in taking on the trust site for educational purposes and seeking grant funding for that purpose. A deadline for responses to be given of one month from press release/contact. A report shall be brought back to the next available Committee.”*

1.2 On the 10<sup>th</sup> July 2023 a press release was issued in line with the above recommendation and officers also directly contacted the following organisations to highlight the press release:

- Cylch Meithrin;
- New Quay Town Council;
- New Quay Primary School
- New Quay Football Club;
- New Quay Memorial Hall;
- New Quay Community Library;
- PSB Partners.

A deadline of the 10<sup>th</sup> August 2023 was set for expressions of interest (EOIs).

1.3 Five EOIs were received during that period. One has since retracted their EOI and one was an EOI relating to a commercial business therefore not what the trust had requested. An additional EOI was also received outside of the deadline but again this was for a commercial business.

1.4 There are therefore 3 active EOIs and officers are currently in the process of discussing these further with the three parties. A further verbal update on progress will be given in the Committee meeting.

1.5 Once proposals are clear they will be brought before Committee for decision as to whether the Committee wishes to proceed with any party and their idea for use of the property for trust purposes.

**Recommendation(s):**

**That the Committee NOTES the contents of the report.**

**Reasons for decision:**

**To further the object of the charitable trust**

**Appendices:** None

**Head of Service:** Elin Pryor: CLO - Legal & Governance Services

**Reporting Officer:** Louise Harries: Senior Lawyer – Non-contentious (Property)

**Date:** 11<sup>th</sup> October 2023

## CEREDIGION COUNTY COUNCIL

<b>Report to:</b>	<b>Charity Trustee Committee</b>
<b>Date of meeting:</b>	<b>6th November 2023</b>
<b>Title:</b>	<b>Proposed Amendments to the Terms of Reference of the Charity Trustee Committee</b>
<b>Purpose of the report:</b>	<b>To receive recommendations to amend the Terms of Reference of the Charity Trustee Committee as set out in the Council's Constitution</b>
<b>For:</b>	<b>Decision</b>

### Background

At a meeting of the Charity Trustee Committee dated 26<sup>th</sup> September 2022, it was agreed to amend the Terms and Reference of the Charity Trustee Committee, to include the following within the Constitution after the line '10 members: 5 voting and 5 non-voting':

**"It is the Chairs of the Overview and Scrutiny Committees who hold the voting rights but in the absence of a Chair the Vice-Chair of that same Overview and Scrutiny Committee can then exercise the voting right".**

The change was approved by Council at its meeting dated 20 October 2022 in the form of a shortened version of the proposal stating, **"Chairs are voting members and Vice-Chairs may vote in their absence"**. Part 3.3, Table 3 of the Constitution has since been amended accordingly.

The current Terms of Reference are shown at **Appendix 1**.

The membership of the of the Charity Trustee Committee was originally decided by Cabinet at its meeting dated 9<sup>th</sup> September 2014.

Minute C90 of 9<sup>th</sup> September 2014 Cabinet meeting:

**"The Council's role as charity trustee**

### DECISION

- (i) To establish a Trustee Committee consisting of the five Chairs of the Council's Overview and Scrutiny Committees, to perform the Council's role as corporate trustee in relation to land and assets held on charitable trust by the Council with the terms of reference identified in the report; and
- (ii) To include the Vice Chairs as observers and in any training sessions for Trustees."

## **CURRENT POSITION**

It is clear that Vice-Chairs actually now do far more than act as “observers”, as they make representations, and are otherwise active members (albeit they cannot vote). There is therefore a need to regularise the current role of the Vice-chairs.

It has since been established that there is no legal or other reason why Vice-Chairs cannot vote, other than by restriction of the Cabinet decision limiting their status to observers.

It is recommended that the Terms of Reference of the Charity Trustee Committee are re-amended to:

- a) enable Vice-Chairs to vote; and
- b) If a) is agreed:
  - remove the reference to Vice-Chairs as “observers”;
  - remove the reference to Vice-Chairs being entitled to make representations;
  - remove the reference to Vice-Chairs having a vote in absence of the Chairs; and
- c) confirm the Charity Trustee Committee quorum is 3 (of all voting members).

If above is agreed, the draft amended Terms of Reference will be prepared, and presented to the Constitution Working group, prior to presentation to Council.

**Recommendation(s):** That Members of the Charity Trustee Committee:

1. agree in principle that the Terms of Reference of the Charity Trustee Committee are re-amended to:
  - a) enable Vice-Chairs to vote; and
  - b) If a) is agreed:
    - remove the reference to Vice-Chairs as “observers”;
    - remove the reference to Vice-Chairs being entitled to make representations;
    - remove the reference to Vice-Chairs having a vote in absence of the Chairs; and
  - c) confirm the Charity Trustee Committee quorum is 3 (of all voting members).
2. recommend that Council approves the amendments above to the Terms of Reference within the Constitution relating to the status of Vice-Chairs.

**Reasons for decision:** To clarify the function of the Charity Trustee Committee as set out in the Council’s Constitution



**Appendices:** Appendix 1 – Terms of Reference of the Charity Trustee Committee

**Head of Service:** Elin Prysor – CLO Legal & Governance Services

**Reporting Officer:** Elin Prysor – CLO Legal & Governance Services

**Date:** 13/10/23

## **Appendix 1**

### **Terms of reference of the Charity Trustee Committee**

#### **Role:**

- To act as trustee in respect of all trusts that the Council is the trustee of
- To make decisions in relation to charitable assets in the best interests of the charity.
- To receive reports on charitable issues and to ensure the requirements of the Charity Commission and charity law are adhered to in so far as they relate to the charitable assets held by the Council on trust.

Charitable trustees are required to act in the best interests of the charity when making decisions in respect of it and must exercise reasonable skill and care in doing so. The decisions of the Committee and responsibility for them will be collective. Members of the Committee will benefit from the general indemnity granted by the Council to Members and Officers, provided that they act honestly, within their powers and that of the charity, and in good faith.

#### **Membership:**

The 5 Chairs of the Council's Overview and Scrutiny Committees will be members of the Committee, with voting rights.

The 5 Vice Chairs of the Overview and Scrutiny Committees will be observers however in the absence of the Chair of a particular Overview and Scrutiny Committee during a Charity Trustee Committee meeting, the Vice-Chair of that particular Overview and Scrutiny Committee shall have a voting right during that Committee.

The Chair and Vice-Chair of the Council's Overview and Scrutiny Coordinating Committee shall be the Chair and Vice-Chair of the Charity Trustee Committee.

#### **Meetings:**

Meetings of the Charity Trustee Committee be provisionally scheduled to take place immediately following each Overview and Scrutiny Co-ordinating Committee but not held if there is no trustee business to attend to.

#### **Delegation of trustee responsibilities:**

A power is delegated to the Chair of the Charity Trustee Committee (or the Vice-Chair in the Chair's absence) to decide on any matters arising which require authorisation within a timeframe of 10 working days subject to the following conditions:

- a) The relevant power is to be exercised exclusively by the Chair (or Vice-Chair during the Chair's absence);
- b) No expenditure may be incurred on behalf of the charity unless it relates to emergency works on a trust asset to include, but not be limited to, making the same safe or avoiding harm to the public or neighbouring land;
- c) The Chair (or Vice-Chair, where they Chair was absent during the time when the decision was taken) must report back the decision at the next meeting of the Charity Trustee Committee; and
- d) The trustees should keep the decision to delegate under constant review.