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Minutes of the Meeting of the CHARITY TRUSTEE COMMITTEE held at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron and remotely via video conference on Wednesday, 22 March 2023

PRESENT: Councillor Keith Evans (Chair); Councillors Marc Davies, Endaf Edwards, Gwyn Wigley Evans, Rhodri Evans, Wyn Evans, Geraint Hughes and Ceris Jones.

Also in attendance: Councillor Gareth Lloyd

Officers in attendance: Louise Harries, Solicitor; Chris Macey, Service Accountant; and Nia Jones, Democratic Services Manager (minutes).

(11.35am - 12.35pm)

1 Apologies

Councillors Chris James and Caryl Roberts apologised for their inability to attend the meeting.

2 Disclosures of personal interest

Councillor Rhodri Evans noted a personal interest in relation to the Old School Tregaron, should discussion arise from the Minutes of the Previous Meeting.

3 To confirm the Minutes of the Meeting of the Charity Trustee Committee held on 26 September 2022 and to consider any matters arising from those minutes

It was unanimously **RESOLVED** to confirm as a true record the minutes of the meeting held on 26 September 2022.

Matters arising

Item 5: Louise Harries noted the Annual Summary setting out the use of the New Quay Memorial Hall for 2022/23 has yet to be received, and that Officers will follow-up on this with an aim to present the report at the next meeting of the Charity Trustee Committee.

Item 6: Louise Harries noted that the consultation on the New Quay Library and Reading Room has commenced and will close on 7 May 2023. A report will be presented to the next meeting of the Charity Trustee Committee outlining the results of the consultation.

Item 7: Louise Harries noted that the consultation on the proceeds from the sale of the Old School in Tregaron had commenced and will close on 10 May 2023. A meeting of the sub-group will take place 2 – 3 weeks following the close of the consultation, and a report outlining the results of the consultation and recommendation of the sub-group will be presented to the Charity Trustee Committee at the earliest possible opportunity.

Item 8: Louise Harries noted that the Annual Trustee Reports for 2022-2023 will be presented at the next meeting of the Charity Trustee Committee.

4 To receive a report on the proposed amendments to the Terms of Reference of the Charity Trustee Committee

Louise Harries presented the proposed amendments to the Terms of Reference to the Committee, noting that the proposal to include a delegation

of power had come about as a result of the information contained within item 6 of the agenda, which had triggered discussion regarding governance in urgent circumstances.

Members considered the amended Terms of Reference of the Charity Trustee Committee, noting a proposal that a power be delegated to the Chair of the Charity Trustee Committee, or to the Vice-Chair in the absence of the Chair to decide upon any matters arising which require authorisation within a timeframe of 10 working days. This would be subject to the relevant powers being exercised exclusively by the Chair, or Vice-Chair in the absence of the Chair, and subject to no expenditure being 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. It also sets out the procedure in relation to reporting decisions back to the Committee.

Members also considered a proposal to include details of the regulations relating to the declaration of interest within the Terms and Reference of the Charity Trustee Committee, as set out for Committees of the Council.

The Chairman proposed that all Members are notified at the outset of any circumstances where an emergency decision is required by the Chairman.

Members also asked if a subsequent meeting would be held to consider decisions made by the Chairman. It was noted that Committee agendas must be published at least 3 clear working days prior to a meeting, and that the decision of the Chair would be reported back at the next scheduled meeting, or the Chair could decide to bring the next scheduled meeting forward in order to report any decisions carried out by the Chair.

Following a discussion, it was **RESOLVED**:

1. That Members of the Charity Trustee Committee note the Terms of Reference in Appendix 1;
2. That Members of the Charity Trustee Committee recommend that Council considers the amendments made to the Terms and Reference in Appendix 1 relating to:
 - a) Delegation of trustee responsibilities;
 - b) Declaration of interest.

5 To receive a report on the Charity Trustee Committee Accounts

Chris Macey presented the report to the Committee, noting that this is the first time that such reports have been presented, and that additional information would be provided as we move forward. He noted that it is a statutory requirement for the Council as Trustee to report to the Charity Commission on an annual basis, and that the information has been provided and is currently up to date.

Members asked whether interest had been paid on the accounts, and it was confirmed that the Council pays interest at 1% below that of the current Bank of England base rate. Members noted that they required greater clarity, as there is a duty upon the Trustees to ensure that funds are better invested.

The Chairman asked Legal Services to confer with Finance to verify the rights of the Trustees in relation to investments and to bring forward any recommendations as to options available.

Members also asked how the funds were being used, and whether schools had access to the Cardigan Intermediate and Technical Education Fund. Officers noted that the majority of the funds held are as a result of the sale of the Old School in Tregaron, which is currently going through a consultation exercise with regards to how the funds will be used; and from the sale of Ardwyn School invested in PFI for Penweddig School. Several of the trusts are held as endowment funds which means that in effect, only income from the interest can be spent. It was also noted that the funds held in the COE Memorial Fund is as a result of the lease on Blaendyffryn Farm.

Members noted that they would like to see a breakdown on each of the Charities held in trust, including the asset value as it is not possible to make decisions without the full details. It was noted that the information would be provided at the next meeting of the Charity Trustee Committee.

Following discussion Members of the Committee **NOTED** the contents of the accounts.

6 To receive a report on a request by New Quay town Council to locate a Christmas Tree on land adjacent to the New Quay Library and Reading Room

Members of the Committee considered the report which related to a request by New Quay Town Council for permission to place a Christmas Tree on the grounds of the New Quay Library in New Quay. The application was submitted to Ceredigion County Council together with a risk assessment.

As this land is held in Trust by the Charity Trustee Committee, the Council required approval by the Committee in order to issue a licence. Due to the short-notice, it was not possible to schedule a meeting of the Trustees, therefore all Members were consulted via e-mail asking them to notify the Clerk of the committee of any objections. No objections were received, therefore the application was granted. The amendment to the Terms of Reference to delegate authority to the Chair or Vice-Chair in the Chair's absence will address situations such as this in the future.

Members recommended that Officers advise New Quay Town Council of the process in order to ensure that requests are received in a timely manner.

Members **NOTED** the report.

**Confirmed at the Meeting of the Charity Trustee Committee held on 29
June 2023**

Chairman: _____

Date: _____

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