

CEREDIGION COUNTY COUNCIL

Report to: Charity Trustee Committee

Date of meeting: 29th June 2023

Title: New Quay Library and Reading Room

Purpose of the report: To receive consultation feedback and recommendations on next steps

For: Decision

1. BACKGROUND

1.1 Members will recall that on the 26th September 2022 Committee resolved in this matter:

- that a cy-pres occasion has arisen under s.62(1)e(i) of the Charities Act 2011;
- *to propose, subject to consultation that the new purpose of the trust to be proposed to the Charity Commission be 'the advancement of education of the inhabitants of New Quay';*
- *to resolve that Officers, on behalf of the trust, undertake a consultation exercise as set out in paragraphs 5.4 - 5.6 of this report including a consultation period which shall be longer than 6 weeks. The results of the consultations shall be brought back for consideration by Committee once complete.*

2. PUBLIC CONSULTATION

2.1 A public consultation was launched on the Council's website on 27/02/2023 and ran for 10 weeks until 07/05/2023 asking the public whether they agreed with the proposed new purpose of the trust being 'the advancement of education of the inhabitants of New Quay', if not what alternative purpose they proposed, and then what use they would suggest the trust assets be put towards to achieve that purpose.

2.2 The Council's Press Office supported the consultation with a press release (including the Local Member) and social media posts at various stages of the consultation to raise awareness. Specific consultees in New Quay were also notified of the launch of the consultation being:

- Cylch Meithrin;
- New Quay Town Council;
- New Quay Primary School
- New Quay Football Club;

- New Quay Memorial Hall;
- New Quay Community Library;
- PSB Partners.

2.3 New Quay Community Library were kind enough to put up posters relating to the consultation in the Library and New Quay Memorial Hall as well as allowing paper versions of the consultation to be held at the Library should library users wish to fill out hardcopies.

2.4 32 formal responses were received to the consultation (28 online and 4 paper versions) as well as 9 comments under the Council's Facebook post relating to the consultation. The full responses to the formal consultation, in the language received, are set out at Appendix 1. Appendix 2 gives a summary of the main themes raised in the responses as well as those themes mentioned in the Facebook comments.

2.5 As you will note from the consultation responses, two-thirds (not including the two who did not answer this question) agreed with the proposal to amend the purpose of the trust to 'the advancement of education of the inhabitants of New Quay'. As such, the trust can consider resolving to apply to the Charity Commission to change the purpose of the trust but it is recommended that this be delayed until the proposed use of the trust assets is clearer as it may be that Commission consent will be required for that too so it can all be done in one application.

2.6 In relation to the question as to what to do with the trust assets in furtherance of that new purpose you will note that there are a lot of themes put forward but no high number of responses in respect of any one theme. Committee will need to be mindful that any future use will need to fall within the education purpose therefore it is unlikely that uses such as car parking, internet cafes, social housing, tourist information centre etc would be suitable.

2.7 It is however clear from the consultation that the public wish the site to be used as only one person (via a comment on Facebook) suggested selling the site.

3. NEXT STEPS

3.1 In considering whether the site is suitable for future public use Property Services have previously carried out a condition inspection and their report is attached at Appendix 3.

3.2 Following Property Services' comments about the trees on site, Grounds Maintenance have been out to view the trees which appear to be in good condition. There are no visible signs of issues or damage to neighbouring property but pruning or reducing canopies may be something to be considered in the next few years depending on the trust's long-term intentions with the site.

3.3 In addition, the gate to the property has now been locked and the intention is to cover the former library opening times sign. Having liaised with New Quay Town Council on their noticeboard, it appears this is quite an old board and will not be used further now the gate is locked.

- 3.4 As you will note from the conclusion to the condition report, the building is no longer suitable for use and would require significant investment to bring it up to the required condition. It is suggested the most economical solution would be demolition and development from bare land.
- 3.5 This trust currently holds £1,015.84p in cash. Having liaised with Finance there is a cost for the recent disconnection of the electricity at the site and the Council is in the process of re-charging the trust for the electricity consumption since the property became vacant on 1st November 2021 therefore this amount may shortly be taken up through re-charge but Committee will receive an update on the same at its next Committee when hopefully the re-charge has been dealt with.
- 3.6 In any event, £1,015.84p would not be enough money to demolish and/or redevelop this site and therefore to move forward it is suggested to Committee that they consider asking the community of New Quay whether there is a group of individuals or an organisation who would be interested in taking on the site for an educational purpose (either one proposed under the consultation responses or another) and seeking grant funding to fund that use where necessary. As happened with New Quay Memorial Hall, no doubt the grant body would require the group/organisation to take on a lease of the site, which would require Charity Commission consent, but it is important as a first step to ascertain whether there is interest in the community to take on the site as the trust does not have funds to demolish/redevelop.
- 3.7 If there is no appetite in the community to take on that role then, similar to what happened when this Committee dealt with the former Tregaron School trust where the community wished to use the site but there was no group willing to take it on, the trust may have to consider whether seeking Charity Commission consent to sell the site and utilise the sale proceeds for charitable purposes is the best option.

- Recommendation(s):**
- 1. To note the responses to the public consultation;**
 - 2. 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.**

Reasons for decision: To further the object of the charitable trust

Appendices: Appendix 1 – Full responses to the public consultation (in the language received).

Appendix 2 – Summary of the main themes raised in the consultation responses.

Appendix 3 – Property Services site inspection report

Head of Service: Elin Prysor - CLO Legal & Governance Services

Reporting Officer: Louise Harries – Solicitor

Date: 06/06/2023