

# 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