

Meeting of:	Welsh Church Act Estate Committee
Date of Meeting:	Monday, 24 February 2020
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Land at Glebe Fields, Sully
Purpose of Report:	To update Committee on the work undertaken since the last Committee meeting on the 23 rd September 2019; To seek instructions on the way forward for the site in the light of the recommendations from the appointed "Qualified Surveyor".
Report Owner:	Rob Thomas, Director of Resources
Responsible Officer:	Carys Lord, Head of Finance
Elected Member and Officer Consultation:	Committee Reports – Legal (James Docherty) OM Accountancy Head of Finance No ward member consultation – since Members of this Committee are acting as Committee members independent of other Council's resolutions, no wider consultation has taken place.
Policy Framework:	The Trustees are working independently of other Councils decisions and in accordance with the requirements of Charity Law.
<p>Executive Summary:</p> <ul style="list-style-type: none"> • The "Qualified Surveyors" report has now been received and Committee are updated on the recommendations contained within the report under the part II agenda. • This report seeks confirmation of the way forward with the site following Committees consideration of the "Qualified Surveyors" report attached to the part II agenda. 	

Recommendations

1. That Committee confirms how it wishes to proceed after consideration of the “Qualified Surveyors” report and recommendations which are outlined under Part II of the agenda.
2. That delegated authority is granted to the Head of Finance/Section 151 Officer in consultation with the Chairman of this Committee to take forward the resolutions of Committee.

Reasons for Recommendations

1. To provide officers with instructions on how Committee wishes to proceed with the land following full consideration of the “Qualified Surveyors” report and recommendations.
2. In order that officers may proceed with Committees instructions.

1. Background

- 1.1 At the Welsh Church Act Estate Committee meeting held on the 23rd September 2019, Committee considered formal presentations from interested parties who had previously expressed an interest in the site (including representatives from the Councils Education Department and a local Community Group).
- 1.2 A Planning officer was also in attendance at Committee to present his findings in relation to possible alternative uses for the site and to answer any questions that Committee had in respect of planning matters. A summary was provided to Committee of the key planning considerations and the possible alternative options for the site.
- 1.3 Committee were also advised that whilst the Planning advice would inform any marketing process that Committee wished to progress, the Trust remained responsible for ensuring that best consideration was received for the land and the advice of a “Qualified Surveyors’ Report” pursuant to Charity Regulations was required before any decision could be made in respect of the lands future.
- 1.4 Committee resolved at the September 2019 meeting that:
 1. the Planning presentation and advice, Legal and Estates advice as outlined in the Part II report be noted;
 2. authority be granted to the Head of Finance to appoint a “Qualified Surveyor” to prepare a written valuation and marketing report for the Trust

pursuant to the Charities (Qualified Surveyors' Reports) Regulations 1992/2980;

3. the Qualified Surveyors Report be brought back to Committee with further recommendations upon receipt;
4. a visit to the site be arranged and take place before the next meeting of the Trust, scheduled for Monday 20th January 2020.

2. Key Issues for Consideration

- 2.1 Since the last Committee meeting in late September 2019, officers drafted instructions to obtain the required "Qualified Surveyors' Report" and sought quotations from firms known to be able to provide reports for Charitable Trusts and more specifically "Qualified Surveyors Reports". Four firms were asked to provide quotations and following consideration of submissions, Messrs Cooke & Arkwright were appointed, in consultation with the Chairman of this Committee.
- 2.2 The appointed firm were provided with the background to the case and copies of relevant documents including the Planning officers report. Unfortunately, due to the Christmas break and Committee reporting deadlines early in the new year, a final report and recommendations was not available in time to allow this matter to be reported to the January 2020 meeting. The report and recommendations have now been received and the detail of the report and its recommendations will be reported under part II of this agenda.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 The Trusts actions need to comply with Charity law and its decisions are independent of the Council's obligations under the Well-Being of Future Generations Act.

4. Resources and Legal Considerations

Financial

- 4.1 As outlined in the part II report to follow.

Employment

- 4.2 There are no direct employment implications arising from this report.

Legal (Including Equalities)

- 4.3** The Trust has a duty to manage lands and property held by them in accordance with the Scheme of Trust and with Charity Law and decisions should be consistent with the Charity Objects and powers.
- 4.4** There is a Legal requirement for Trustees to:
- a. Act within their powers;
 - b. Act in good faith and only in the interests of the charity
 - c. Make sure they are sufficiently informed
 - d. Take account of all relevant factors
 - e. Ignore any irrelevant factors
 - f. Manage conflicts of interest
 - g. Make decisions that are within the range of decisions that a reasonable trustee body could make

As outlined in the report to follow under Part II of the agenda.

5. Background Papers

None.