

WELSH CHURCH ACT ESTATE COMMITTEE

Minutes of a meeting held on 14th June, 2021.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: Councillor M.R. Wilson (Chairman); Councillor Mrs. P. Drake (Vice-Chairman); Councillors: Mrs. J.E. Charles, G.A. Cox, R. Crowley, and S.T. Wiliam

102 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Chairman read the following statement:

“May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

103 MINUTES –

RESOLVED – T H A T the minutes of the meeting held on 18th January, 2021 be approved as a correct record.

104 DECLARATIONS OF INTEREST –

Councillor M.R. Wilson declared an interest in Agenda Items 8 and 12, “Land off Myrtle Close, Penarth – Update” (Part I and Part II). The nature of the interest was that the Councillor was the Member for Stanwell Ward and a Member of the Planning Committee. The Councillor disconnected from and vacated the meeting before the agenda items were discussed, with the Vice-Chairman assuming Chairing responsibilities in his absence.

105 APPLICATIONS FOR FINANCIAL ASSISTANCE 2021/22 (DR) –

The purpose of the report was to consider applications for financial assistance funded from the Welsh Church Act Estate.

A budget of £45,000 had been set for issuing grants during 2021/22. An unallocated budget amount of £5,196 carried over from 2020/21 was also available for allocation during 2021/22. Grants set out in Appendix A to the report totalled £9,750.00.

Having fully considered each application, it was subsequently

RESOLVED –

- (1) T H A T the applications for grant assistance as set out in Appendix A of the report be approved.
- (2) T H A T the proposal to inform outstanding 2018/19 applicants that they must now reapply for Welsh Church Act funding due to the time period that has lapsed be approved.

Reasons for decisions

- (1) In furtherance of the objectives of the Trust.
- (2) To ensure the limited Welsh Church Act funding is utilised by organisations efficiently.

106 LAND TO THE REAR OF CHURCH ROAD, CADOXTON (DR) –

The report brought to Committee an ongoing issue with repair and maintenance of this land which had been the subject of previous reports to Committee and discussions in relation to this matter, and sought Committee's views on how to move forward with the aim of finding a long term solution for future maintenance and management of the land.

In response to queries from Members, Officers provided legal advice in relation to access and other estates related advice.

As most Members were unfamiliar with the site it was agreed that further detail was required, while acknowledging that due to ongoing restrictions relating to COVID-19 no Committees within the Local Authority were undertaking formally arranged site visits.

The Chairman queried what liability there would be to Committee, if any, if it surrendered ownership of the land. The Principal Lawyer advised he would report back to the Chairman regarding this query.

Having fully considered the matter it was subsequently.

RESOLVED –

- (1) T H A T a determination regarding how to move forward with a long-term solution associated with maintenance and management of the land be deferred (save for the actions authorised pursuant to resolution 2 below) in order that Trustees have the opportunity to visit and assess the site on an individual basis.
- (2) T H A T the owners of the properties at Church Road adjacent to the land be contacted and advised of a possible opportunity to gain possession of the land.

Reason for decision

- (1) In order to provide context to Trustees prior to reaching a decision regarding this matter.
- (2) In order that Trustees can take into consideration the response of the third parties prior to reaching a decision regarding this matter.

107 GLEBE FIELDS – UPDATE REPORT (DR) –

The purpose of the report was to update Committee on the outcome of the Agricultural Land Classification Survey for Glebe Fields which was to be considered under Part II of the agenda.

There being no queries from Members it was subsequently

RESOLVED – T H A T the report be noted and considered so that a decision on this matter could be taken under Part II of the agenda.

Reason for decision

To enable a decision to be made under Part II of the agenda.

108 LAND AT CASSY HILL, CADOXTON (DR) –

The purpose of the report was to update Committee as to the advice contained in the Qualified Surveyor's report provided in accordance with s.119 of the Charities Act 2011 in respect of a small parcel of land at Cassy Hill, Cadoxton and to seek instructions on a suitable way forward. The report and its recommendations were to be considered under Part II of the agenda.

There being no queries from Members it was subsequently

RESOLVED –

- (1) T H A T the Qualified Surveyor's report and recommendations be considered in the Part II report on the agenda.
- (2) T H A T having considered the Part II report and recommendations, Committee consider next steps and how they wished to proceed.

Reasons for decisions

- (1) In order for the Qualified Surveyor's report to be considered fully and in accordance with Charity Law.
- (2) In order to agree a way forward for the land in question having considered the recommendations within the Qualified Surveyor's report and in line with Charity Law.

109 LAND OFF MYRTLE CLOSE, PENARTH – UPDATE (DR) –

The purpose of the report was to update Members as to the advice contained in the Qualified Surveyors report provided in accordance with s.119 of the Charities Act 2011 in respect of its land off Myrtle Close, Penarth and to seek instructions on a suitable way forward. The report and its recommendations were to be considered under Part II of the agenda.

There being no queries from Members at this time it was subsequently

RESOLVED –

- (1) T H A T the Qualified Surveyor's report and recommendations be considered in the Part II report on the agenda.
- (2) T H A T having considered the Part II report and recommendations, Committee consider next steps and how they wished to proceed.

Reasons for decisions

- (1) In order for the Qualified Surveyor's report to be considered fully and in accordance with Charity Law.
- (2) In order to agree a way forward for the land in question having considered the recommendations within the Qualified Surveyor's report and in line with Charity Law.

110 EXCLUSION OF PRESS AND PUBLIC –

RESOLVED – T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 4 of Schedule 12A (as amended) of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

111 GLEBE FIELDS – AGRICULTURAL LAND CLASSIFICATION SURVEY UPDATE (DR) (EXEMPT INFORMATION – PARAGRAPHS 13 AND 14) –

The purpose of the report was to update Committee on the outcome of the Agricultural Land Classification Survey for Glebe Fields.

Following Committee's resolution at the previous meeting that the Operational Manager for Property be instructed to appoint suitable consultant to provide an Agricultural Land Classification survey, the Officer had consulted with the Council's planning section to establish a list of firms that the Trust could seek quotations from to undertake the required Agricultural Land Classification Survey. Planning colleagues had advised that Welsh Government also offered

specialist advice and would be able to advise further on what type of survey would be required and who to contact.

With Welsh Government colleagues having duly been contacted, the report provided detail regarding the outcome of their consultation. Discussion ensued, with Members asking Officers for guidance regarding the appropriate options available to the Trust in relation to this matter.

Having considered the contents of the report and Officers' guidance it was subsequently

RESOLVED –

- (1) T H A T the update relating to the Agricultural Land Classification Survey be noted.
- (2) T H A T further site investigation be obtained in order to promote the site as a candidate site at the relevant time if any are required following further advice from the Council's planning officer.
- (3) T H A T delegated authority be given to the Operational Manager Property, in consultation with the Chairman of this Committee and the Operational Manager Accountancy, to agree the consultancy costs (if any) associated with any further appointments referred to in Resolution (2) above.
- (4) T H A T a further update report when the results of any further site investigations / surveys are available be considered (if any required).
- (5) T H A T a separate report regarding the financial position of the Trust and its investment management arrangements be brought to Committee for their consideration in order to inform consideration of whether to dispose of the site in the future.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) In order that a fully informed decision in respect of the future of the land can be taken by Committee at the appropriate time.
- (3) In order to progress appointments in a timely manner.
- (4) In order to keep Committee updated at the appropriate time.
- (5) In order that Committee can consider the implications of such a report in relation to this matter.

112 LAND AT CASSY HILL, CADOXTON (DR) (EXEMPT INFORMATION – PARAGRAPHS 12 AND 14) –

The purpose of the report was to update Committee as to the advice contained in the Qualified Surveyor's report provided in accordance with s.119 of the Charities Act 2011 in respect of a small parcel of land at Cassy Hill, Cadoxton and to seek instructions on a suitable way forward.

The Operational Manager for Property advised that the Trust owned a very small parcel of land at Cassy Hill which measured approximately 33 sqm. Officers were approached by a member of the public who expressed an interest in purchasing / maintaining the land. Officers consulted with the Chairman and a Qualified Surveyor's report was sought to inform Committee and allow full consideration of this request.

Officers had consulted planning and legal colleagues and the advice from both has been provided to the Qualified Surveyor to ensure that the report was robust.

Following the Officer's presentation, discussion ensued, with Members asking Officers for guidance regarding the appropriate options available to the Trust in relation to this matter. Having given full consideration to the contents of the report and Officers' guidance it was subsequently

RESOLVED –

- (1) T H A T the expression of interest in the small parcel of land at Cassy Hill, Cadoxton be noted.
- (2) T H A T the land referred to be disposed of in accordance with the Qualified Surveyor's report.
- (3) T H A T delegated authority be given to the Operational Manager for Property, in consultation with the Chairman of this Committee and the Operational Manager for Legal Services, to agree the terms and conditions of the disposal.
- (4) T H A T the Operational Manager for Legal Services be granted delegated authority to draft, complete and execute any documentation required to effect the sale.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) In order that Committee proceeds according to the recommendations of the Qualified Surveyor.
- (3) In order to progress the disposal.

- (4) In order to complete the disposal.

113 LAND OFF MYRTLE CLOSE, PENARTH – UPDATE (DR) – (EXEMPT INFORMATION – PARAGRAPHS 12 AND 14) –

The purpose of the report was to update Committee as to the advice contained in the Qualified Surveyor's report provided in accordance with S119 of the Charities Act 2011 in respect of its land off Myrtle Close, Penarth and to seek instructions on a suitable way forward.

The Operational Manager for Property reminded Members that Officers had recommended at the January Committee meeting that that if the Trust were minded to consider disposing of this site, a report should be procured from a Qualified Surveyor which would provide recommendations on disposal options prior to any decision being made on the lands future. The Qualified Surveyor's report had now been received and was attached at Appendix B to the report.

Following the Officer's presentation, discussion ensued, with Members asking Officers for guidance regarding the appropriate options available to the Trust in relation to this matter. Having given full consideration to the contents of the report and Officers' guidance it was subsequently

RESOLVED –

- (1) T H A T the contents of the Qualified Surveyor's report be noted.
- (2) T H A T the Operational Manager for Property be instructed to engage with all known owners of the land surrounding the site regarding access options, with the outcome to be reported to Committee in due course.

Reasons for decisions

- (1) Having regard to the contents of the report and discussions at the meeting.
- (2) In order that all relevant parties are consulted regarding further options and that Committee are fully informed prior to reaching a decision regarding this matter.