

Meeting of:	<b>Welsh Church Act Estate Committee</b>
Date of Meeting:	<b>Monday, 31 January 2022</b>
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Cadoxton Community Orchard Proposal
Purpose of Report:	To advise Committee of a proposal that has been submitted by Barry Town Council in respect of land adjacent St Oswald's Road, Cadoxton in respect of a Community Orchard proposal.
Report Owner:	Rob Thomas, Chief Executive
Responsible Officer:	Interim Head of Finance
Elected Member and Officer Consultation:	Committee Reports - Legal OM Accountancy  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 Council decisions and in accordance with the requirements of Charity Law.
Executive Summary	
<ul style="list-style-type: none"> <li>To advise Committee of a proposal received from Barry Town Council in respect of the Trusts land adjacent St Oswalds Road, Cadoxton. The proposal is to seek consent via a lease agreement to develop a Community Orchard on the Trusts land.</li> </ul>	

## **Recommendation**

1. That Committee notes the proposal submitted by Barry Town Council and considers the detail of the request under Part II of this Agenda.

## **Reason for Recommendation**

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

### **1. Background**

- 1.1 A proposal dated 21st November 2021 from Barry Town Council was received by officers on 24th November 2021 and is attached as Appendix B to the Part II report on this agenda.

### **2. Key Issues for Consideration**

- 2.1 Committee are asked to consider the detail of the proposal received from Barry Town Council 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 referenced in the part II report.

#### **Employment**

- 4.2 There are no 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

### **5. Background Papers**

None