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CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

YMDDIRIEDOLAETH  
ELUSENNOL YNYS MON  
ISLE OF ANGLESEY  
CHARITABLE TRUST

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12 Mehefin/June, 2013

At : Aelodau Cyngor Sir Ynys Môn fel ymddiriedolwr  
Ymddiriedolaeth Elusennol Ynys Môn

Annwyl Aelod,

## **CYFARFOD O'R YMDDIRIEDOLAETH ELUSENNOL YNYS MÔN**

Gofynnir i chwi fod yn bresennol mewn cyfarfod o'r Ymddiriedolaeth Elusennol Ynys Môn ar **ddydd Mawrth, 18 Mehefin, 2013 yn syth ar ôl cyfarfod o'r Cyngor Sir yn Siambr y Cyngor, Swyddfeydd y Cyngor, Llangefni** i ystyried y materion a nodir yn y rhaglen atodol.

Yr eiddoch yn gywir,  
*Richard Parry Jones*

**YSGRIFENNYDD**

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To : Members of the Isle of Anglesey County Council as Trustee  
of the Isle of Anglesey Charitable Trust

Dear Member,

## **MEETING OF THE ISLE OF ANGLESEY CHARITABLE TRUST**

Your attendance is requested at a meeting of the Isle of Anglesey Charitable Trust on **Tuesday, 18 June 2013 to be held at the Council Chamber, Council Offices, Llangefni on the rising of the County Council** to consider the matters noted in the attached agenda.

Yours sincerely,  
*Richard Parry Jones*

**SECRETARY**

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**Ysgrifennydd/Secretary** : Mr. Richard Parry Jones BA, MA    **Trysorydd/Treasurer** : Clare Williams FCCA, MA, MBA

**Swyddfa'r Sir/County Offices,  
Llangefni, Ynys Môn. LL77 7TW. Tel: (01248) 750057**

## A G E N D A

**1     ELECTION OF CHAIRPERSON**

To elect a Chairperson for the ensuing year.

**2     ELECTION OF VICE-CHAIRPERSON**

To elect a Vice-Chairperson for the ensuing year.

**3     DECLARATION OF INTEREST**

To receive any declaration of interest from any Member or Officer in respect of any item of business.

**4     MINUTES (Pages 1 - 4)**

To submit, for confirmation, the minutes of the meeting held on 23 April, 2013.

**5     MEMBERSHIP OF COMMITTEES OF THE ISLE OF ANGLESEY CHARITABLE TRUST  
(Pages 5 - 6)**

To give consideration to the membership of the following Committees of the Isle of Anglesey Charitable Trust :-

- **Investments and Contracts Committee**
- **General Grants Committee**
- **Regeneration Committee**

## Isle Of Anglesey Charitable Trust Committee

### Minutes of the meeting held on 23 April 2013

- PRESENT:** Mr. E Schofield (Chair)  
Mr. G W Roberts OBE (Vice-Chair)
- Messrs. Jim Evans, R LI Hughes, K P Hughes, Eric Jones, O Glyn Jones, T H Jones, Raymond Jones, C McGregor, B Owen, G O Parry MBE and Eric Roberts
- IN ATTENDANCE:** Secretary,  
Treasurer,  
Head of Service (Finance),  
Capital/Treasury Accountant (BD),  
Administrative Assistant (CS),  
Committee Officer (MEH).
- APOLOGIES:** Messrs. E G Davies, Lewis Davies, R Dew, Mrs Fflur Hughes, T LI Hughes, W T Hughes, R Dylan Jones, H E Jones, A M Jones, Rhian Medi, R L Owen, R G Parry OBE and S Williams
- ALSO PRESENT:** Mr. Philip Heath – Weightmans LLP – In respect of Item 3
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#### **1 DECLARATION OF INTEREST**

No declarations of interest received.

#### **2 MINUTES**

The minutes of the meeting held on 24 January, 2013 were confirmed, subject to the name of Mr. Alun Mummery being added to list of attendance.

#### **3 ADMINISTRATION OF THE TRUST BUSINESS (B)**

The Secretary of the Trust stated that the Charitable Trust has previously discussed the possible conflict of interest between the role of the Officers of the County Council and the Charitable Trust together with the role of the Elected Members as Members of the County Council and Trustees of the Trust. He stated that it is anticipated that large projects might materialised on the Island in the next few years with the financial gain for local communities on a large scale. It is felt that robust arrangement needs to be in place to be adequately ready to act appropriately and to use the money in a purposely manner.

The Charitable Trust has decided to seek professional advice on the future administration of the Trust together with advice in respect of the sale of the land at Rhosgoch. Open competitive tender entailed for both matters and Weightmans LLP were awarded both contracts.

The Secretary stated that Mr. Heath from Weightmans LLP will be addressing the meeting today on the administration of the Trust and a report in respect of the Rhosgoch land will be submitted to the Trust in due course.

The Chair welcomed Mr. Heath from Weightmans LLP to the meeting.

Submitted – a report by Weightmans Solicitors on behalf of the Trust's Officers.

Mr Heath stated that the day to day activities of the Charitable Trust are administered by the Isle of Anglesey County Council, however questions have been asked regarding the relationship between the Council and the Trust and the administration of the Trust.

With Charity law becoming increasingly more complex and compliance with Charity Commission guidance being an essential requirement, it is appropriate to consider separation of the administration of the Charitable Trust from the Council in order to ensure effective support to the Trust in the future. Since 1990 the Charitable Trust has on certain occasions been able to obtain advice and support from the Charity Commission in respect of matters to be considered by the Charitable Trust which was outside the expertise of the Council. However, the Charity Commission has recently reviewed its regulatory approach and it will increasingly be the case that it will be unable to provide support and respond to queries such as those raised by the Charitable Trust in the same way. It is important to consider the Charity Commission's guidance on charities administered by local authorities, they have published a number of documents providing guidance to local authorities who are responsible for charities and whose members act as charity trustees. The main issue with which the Charity Commission is concerned is that of conflicts both of interest and loyalty. The difficulty in respect of the Charitable Trust is that with Council Officers currently providing advice and support to it, separating that advice and support from their role within the Council can give rise to allegations of conflicts.

The importance of the Charitable Trust to the Island and the size of the Trust mean that it has a significant profile. Accordingly, a separation of the administration of the Trust from the Council would ensure that there would be no public perception issues arising from suggested conflict of interest between the Council and the Charitable Trust over its administration.

The separation of the administration of the Trust from the Council would ensure that suitable specialist advice and support is available to the Trust going forward; the cost of administration of the Trust is now provided free by the Council; advice and support is independent from that provided to the Council; the Trust has access to appropriate professional and technical advice without having to rely on the support of the Charity Commission and no conflicts arise in respect of the operation of the Charitable Trust. It was noted that there was a need to look at the possibility of distancing the Trust from the Council by ensuring independent trustees.

Members of the Trust were unanimously in support of the principle that the administration of the Charitable Trust should be separated from the Council but stressed that the assets and the capital of the Charitable Trust should be safeguarded for the benefit of the Island for future generations.

#### **RESOLVED**

- **To thank Mr. Heath from Weightmans LLP for his report;**
- **To accept the report in principle and to await a further report from Weightmans LLP in due course;**
- **That the further report should include consideration of how the capital of the Charitable Trust could be safeguarded for the benefit of the Island in the event of reorganisation of local government in the future.**

#### **4 PLAQUE IN RECOGNITION OF FINANCIAL SUPPORT**

Submitted – report by the Secretary in respect of the Trust presenting plaques to voluntary bodies in receipt of financial support for projects to recognise the contribution of the Trust.

It was reported that the Trust's contribution usually is for financial sums not exceeding £6k at a time, and within the specified guidelines issues by the Trust members and the available finance within the specified fund allocated for such purposes. Frequently, the cost of the projects will be substantially greater than the monies received from the Trust and other agencies will also have contributed to the scheme. These other agencies often insist that their contribution is visibly recognised (e.g. by displaying a plaque on the wall of the community room or building or on a piece of furniture). There

is nothing to recognise the contribution of the Isle of Anglesey Charitable Trust, although it may have been the main contributor and in the view of Officers not enough is being done to promote the Trust and gain publicity for its financial contribution to the various activities in receipt of its grant.

It was suggested that the Trust could present a simple plaque to note the financial contribution to the project where this can be made visible, and that arrangements should be made for either the Chair or the local member of the Trust to be involved in the presentation with the necessary publicity. It is estimated that the cost of such plaques would be approximately £35 each and that the likely maximum total cost in one financial year would be £420.

#### **RESOLVED**

- **To support the principle of providing plaques to recognise the financial contribution of the Trust to a local projects;**
- **That the Trust sets aside a sum of up to £500 annually for such purposes from its grants fund to local bodies;**
- **That arrangements are made by Officers for the Chair or local member to present the plaque to the relevant body in parallel with the transfer of grant to support the project.**

#### **5 DRAFT OUT-TURN 2012/13 AND BUDGET 2013/14**

Submitted – a report by the Treasurer in relation to the above.

The Head of Service (Finance) reported that this report is required to confirm funding allocations for 2013/14 and to delegate the funding powers for community facilities and minor grants to the General Grants Committee. The figures contained within the report are based upon projected outturn for 2012/13.

The projected outturn for 2012/13 means that reserves as at 31 March, 2013 are estimated at £43k surplus. With the projected growth in investment income, and assuming the continuation of current grant funding levels (with the Oriol Ynys Môn funding decreasing to £200k by 2014/15), revenue reserves are projected to increase to £300k in 2014/15. Due to the current uncertainties surrounding the future administration of the Trust, it is suggested that this projected surplus is not allocated at this time.

The projected outturn and revenue reserves for 2012/13 differ from the strategy and budget as follows :-

- Investment income for 2011/12 was £28k (7%) higher than projected in May 2012;
- 'Other grants' were £6k (12%) higher than originally budgeted due to the award made to Môn FM by the full Trust (the funding of which was covered by allocations forgone in 2011/12);
- Allocations forgone in 2011/12 were £16k (for prudence, projections for allocations forgone are not included within the annual budget setting reports);
- Investment income net of minor miscellaneous expenditure was £14k higher than projected at the time of the 2012/13 budget setting report.

The projected outturn means that revenue reserves as at 31 March, 2013 are estimated at £43k surplus.

It was further noted that within the investment portfolio there are accumulation funds. These funds pay the dividend in the form of investment units rather than cash and are being reflected in increased capital rather than revenue reserves. As reported in the 2012/13 budget setting document, and as discussed briefly at the Investment and Contracts Committee on 22 May, 2012, this income could justifiably be regarded as revenue and there is the flexibility to recognise it as such. The income is currently in the region £30k.

**RESOLVED :-**

- To confirm the updated strategy and the tapering of the Oriel Ynys Môn grant by £15k per annum;
- To adopt a budget for 2013/14 as follows :-
  - Oriel Ynys Môn - £215k;
  - Village Halls - £66k;
  - Community Facilities & Minor Grants £50k (the General Grants Committee to have delegated authority to make these grant allocations);
- To delegate to the General Grants Committee the sum of £50k;
- To return to the financial strategy after the election and once the decision on future administration has been made.

**MR. ELWYN SCHOFIELD**  
Chair

<b>ISLE OF ANGLESEY CHARITABLE TRUST</b>	
<b>COMMITTEE :</b>	<b>ISLE OF ANGLESEY CHARITABLE TRUST</b>
<b>DATE :</b>	<b>18 JUNE 2013</b>
<b>TITLE OF REPORT :</b>	<b>TO APPOINT OFFICERS AND MEMBERS TO TRUST COMMITTEES</b>
<b>REPORT BY :</b>	<b>SECRETARY TO THE TRUST</b>
<b>ACTION :</b>	<b>Trust members are asked to consider the report and resolve on the recommendations</b>

### **APPOINTING OFFICERS AND MEMBERS TO TRUST COMMITTEES**

1. Anglesey County Council is the Trustee of the Isle of Anglesey Charitable Trust, acting through its members. When acting as trustees and members, they do so completely separately to the Council in its capacity as a local authority.

Following the Council Elections in May 2013 members need to be appointed to act as officers for the Trust as well as deciding on committee structure, and appointing members for those committees. This is a matter to be decided jointly between all the members of the Trust.

2. Historically, the Trust has operated with a Chairman and Vice-Chairman and three committees, i.e. 1. Investments and Contracts; 2. General Grants and 3. Regeneration.

It should be noted that very little activity has taken place within the Regeneration Committee in recent years and its meetings were very infrequent.

3. Another matter requiring attention is the issue of political balance on the committees. In the past, members have tried to avoid introducing political aspects in the Trust's activities and every member was expected to serve on one of its three committees.

It is suggested that the Trust adheres to this arrangement and forgoes political balance, divides membership equally between the three committees [if that is confirmed], and continues with this pattern of membership for the duration of

the present Council or until there is any change in the Constituion as a result of the present review that external solicitors are conducting on behalf of the Trust.

4. In accordance with the Deed that governs the Trust, the members sign the cheques drawn against the Trust's account. Three Trust members are required on the Trust's mandate and any two must sign each time. The Chair, the Vice-Chair and one other member must sign - usually the third signatory is the former Chair.

## 5. **Recommendations**

It is recommended that the Trust at this meeting:

- 5.1. Appoints a Chairman and Vice-Chairman from amongst the members.
- 5.2. Authorises the Chair and Vice-Chair, with one other member, to sign cheques on behalf of the Trust.
- 5.3. Confirms the establishment of 3 committees to act on behalf of the full Trust, i.e.:
  - Investments and Contracts Committee
  - General Grants Committee
  - Regeneration Committee and/or an Officer/Member Working Group to consider the future structure of the Trust.
- 5.4. Forgoes the need for political balance and appoint members to serve on the above committees whilst ensuring that every individual member serves on one committee.
- 5.5. Authorises the committees to appoint a Chair and Vice-Chair to enable them to operate effectively.
- 5.6. Accepts that there may be a need to reconsider the above following the present review of the Trust's Constitution and its methods of operation when the external solicitors commissioned to complete the work report back on such matters.
- 5.7. Membership of these committees to remain for the duration of the present County Council or until any changes are made to the Constitution following the review.

**Richard Parry Jones**  
**Secretary to the Trust**

**10 June 2013**