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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

YMDDIRIEDOLAETH
ELUSENNOL YNYS MON
ISLE OF ANGLESEY
CHARITABLE TRUST

14 Mawrth/March, 2014

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 Iau, 20 Mawrth, 2014 yn Siambr y Cyngor, Swyddfeydd y Cyngor, Llangefni am 10.00 a.m.**, i ystyried y materion a nodir yn y rhaglen atodol.

Yr eiddoch yn gywir,

YSGRIFENNYDD

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 **Thursday, 20 March 2014 at 10.00 a.m., to be held at the Council Chamber, Council Offices, Llangefni** to consider the matters noted in the attached agenda.

Yours sincerely,

SECRETARY

Ysgrifennydd/Secretary : Mr. Richard Parry Jones BA, MA
Swyddfa'r Sir/County Offices,
Llangefni, Ynys Môn. LL77 7TW. Tel: (01248) 750057

A G E N D A

1 **DECLARATION OF INTEREST**

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

2 **MINUTES** (Pages 1 - 2)

To submit, for confirmation, the minutes of the meeting held on 27 January, 2014.

3 **REVIEW OF THE FUNCTIONS AND OPERATIONAL ASPECTS** (Pages 3 - 8)

To submit a report by the Secretary in respect of the above.

Isle Of Anglesey Charitable Trust Committee

Minutes of the meeting held on 27 January 2014

- PRESENT:** Mr. Victor Hughes (Chair)
Mr. A M Jones (Vice-Chair)
- Messrs. R Dew, Jim Evans, Ann Griffith, John Griffith, K P Hughes, D R Hughes, Vaughan Hughes, Llinos Medi Huws, Carwyn Jones, H E Jones, R LI Jones, G O Jones, Richard Owain Jones, Raymond Jones, Jeffrey M.Evans, Alun W Mummery, R G Parry OBE, Dylan Rees, J A Roberts, Nicola Roberts, P S Rogers and Ieuan Williams
- IN ATTENDANCE:** Secretary,
Head of Function (Resources),
Committee Officer (MEH).
- APOLOGIES:** Messrs. Lewis Davies, T LI Hughes, W T Hughes,
R.Meirion Jones, Alwyn Rowlands and Dafydd Rhys Thomas
- ALSO PRESENT:** Ms. Caroline Baker (Director) DTZ,
Mr. Anthony O'Keefe (Director) DTZ,
Ms. Heather Standidge (Senior Consultant) DTZ.
-

The Chair welcomed representatives from DTZ to the meeting.

1 DECLARATION OF INTEREST

No declaration of interest received.

2 MINUTES

The minutes of the meeting held on 21 November, 2013 were confirmed.

3 2012/13 DRAFT ANNUAL REPORT AND ACCOUNTS

Submitted – the draft Annual Report and Accounts for 2012/2013.

The Head of Function (Resources) reported that the Annual Report and Accounts have now been completed and are submitted for adoption by the Charitable Trust. It was noted that there are no significant changes in the format or contents of the accounts this year.

Members of the Charitable Trust raised the following issues :-

- The need to explore the spending strategy of the Charitable Trust as the dividends from the portfolio is exceeding the £400k benchmark for the yearly investment income;
- The need to assure that the Isle of Anglesey Charitable Trust's is protected due to a possible merger of local government. The guidelines of the Charitable Trust specifies that the Trust is for the benefit of the residence of the Island;
- The need investigate the administration of the Trust as a matter of urgency;
- Questions raised regarding the Charitable Trust funding the Oriel Ynys Môn on an yearly basis.

RESOLVED

- **To approve the Annual Report and Accounts for 2012/2013 and to authorise the Chair and Vice-Chair to sign the final version;**
- **That each Sub-Committee of the Isle of Anglesey Charitable Trust to discuss the spending strategy of the Trust and to report back to the full Trust in April;**
- **That the future administration of the Trust be investigated as a matter of urgency.**

4 ITEM TAKEN IN PRIVATE - CONSIDER THE RECOMMENDATION OF THE EXTERNAL CONSULTANTS ON THE PROCESS TO DISPOSE OF THE RHOSGOCH SITE

Representatives from DTZ gave a presentation on the options and site analysis of the Rhosgoch Site. It was noted that a number of compatible uses could co-exist on the site and sale of the site may not result in immediate development. The advice of the company is that a Contamination Report be considered to help the negotiating process and to be more attractive to potential buyers of the site.

It was noted that DTZ will prepare a report which will incorporate the comments of the Members of the Trust in due course.

Following detailed discussion it was **RESOLVED** :-

- **to commission a Contamination Report, through a tendering procedure, in consultation with the Chair and the Vice-Chair of the Isle of Anglesey Charitable Trust;**
- **to authorise the Chair and Vice-Chair of the Isle of Anglesey Charitable Trust, in conjunction with the relevant Officers of the Trust, to deal with day to day matters during the marketing process. However, any potential sale of the site will be discussed by the full meeting of the Charitable Trust.**

MR. T. VICTOR HUGHES
Chair

ISLE OF ANGLESEY CHARITABLE TRUST	
COMMITTEE :	ISLE OF ANGLESEY CHARITABLE TRUST
DATE :	20 MARCH 2014
TITLE OF REPORT :	REVIEW OF THE FUNCTIONS AND OPERATIONAL ASPECTS
PURPOSE OF REPORT :	To continue the discussion regarding the review of the functions and operational aspects of the Trust
REPORT BY :	TRUST SECRETARY
ACTION :	The Trust is requested through its Committees to discuss and review the functions and operational methods adopted to promote the interests of the communities in Anglesey in accordance with the charitable objectives of the Trust

REVIEW OF FUNCTIONS AND OPERATIONAL ASPECTS

1. Following the Isle of Anglesey County Council Elections in May 2013, 12 new members were appointed to the Trust in place of the former members, whilst at the same time there was a reduction from 40 to 30 in the total number of members. The period since then has enabled the new members to be inducted into the work of the Trust, and enabled them to understand the procedures and functions in order to be in a position to formulate an opinion and to contribute to the discussion on the fitness of purpose for the Trust, in respect of meeting the needs of the citizens of Anglesey and its communities to the future.
2. The Trust has already resolved in principle that it needs to examine its constitution and its relationship with the County Council with a view to:
 - i) reducing the dependency on the Council in respect of administration and both strategic and professional leadership;
 - ii) protecting the capital held within the Trust for the benefit of Anglesey if local government structures are changed or reorganised to the future.

Professional advice from external solicitors was given on these matters and further advice and guidance will be needed when the Trust is absolutely clear regarding the strategic direction it wishes to adopt for the future, taking into consideration the laws pertaining to Charity and the need to fully conform with the Guidelines of the Charity Commission.

3. Following a general overview in the meeting in respect of the constitutional aspects and the Trust objectives, by the Secretary and Solicitor, together with information regarding the financial profile and structure by the Treasurer, the members are requested to undertake discussions in the Committees to which they have been appointed, in the form of a review of the fitness of purpose of those Committees, the needs to the future and what the implications would be in respect of any constitutional changes or changes in functions and policies by the Trust for the respective Committees.

Following this, the opinion of members at the level of the full Trust will be collated in order to provide guidance to officers to continue to complete the review and to bring the members in time to a position where they can, subject to further specialist legal advice, formulate their policy resolutions in respect of how the Trust will operate in the future.

4. In doing this the members will keep in mind the current developments regarding voluntary community benefits that will be available in Anglesey as a consequence of the economic regeneration programmes on the Island and the desire to improve the quality of life of its citizens in future years.

The members will consider any implications that the County Council's Community Benefits Policy [as presented to The Executive on 17 March 2014] will have for the work, functions and objectives of the Trust. In this context, members will be asked if it is the wish to restrict the functions of the Trust to its original objectives, namely managing the capital legacy received from Shell UK and to use it for the charitable purposes within the communities, or to expand the functions to undertake wider community benefits opportunities [specialist legal advice will be needed in the context of any constitutional changes required if it is decided to move in this direction].

They will also be requested to consider the desirability of changing the member structure within the Trust, for example, to include individuals that could strengthen the connection with communities, or to include specialisms that would then be available to promote the work and purpose of the Charity.

If the member structure is to be changed, there will need to be some consideration to the balance between the members appointed by the Council and the other members, together with the processes for recruiting those people.

5. From the financial perspective, the view has been already been expressed by some members that there should be a review of the use made of the interest received on capital investments to release in future further resources in order to support activities or provision in the communities to the future. There would be a need, if the Trust decides to move in this direction, to ensure that it continues to act within the charitable objectives, from the perspective of the financial contributions made, including ensuring that it has robust criteria for the decisions taken in response to applications for grants.
6. Finally, the Trust has resolved in principle that its administration should be separated from the County Council, which currently provides the professional and operational support for its work without charge. In establishing a separate administrative arrangements, consideration should be given to the advantages or otherwise to the Trust financially, either to procure the administrative support from an external body in the private or voluntary sector, or to providing its own in-house administration through direct employment of staff.

The type of services needed would include, secretariat, legal advice, financial services [budget planning, payroll, payments, audit] and administrative / clerking services. Such provision would need to be financed from the Trust revenue, and the impact of that on the total sum available for grants allocated to community schemes should be taken into account.

7. The Trust, therefore, is requested to consider the contents of this report as a basis for discussion at Committee level in order to present viewpoints to the full Trust regarding setting the robust strategic direction that will govern the programme of work for officers over the coming weeks.

Recommendation:

Members of the Trust are requested to discuss the matters raised in this report and to set a clear direction to officers for presenting policy recommendations in the context of the review of the functions and procedures of the Trust for the future.

Richard Parry Jones
Trust Secretary

12 March 2014

REVIEWING THE WORK OF THE COMMITTEES

- Objectives**
- i) To review the work undertaken by the Committees over recent years;
 - ii) To consider if the Committee's structures are fit for purpose in the context of future requirements;
 - iii) To receive the Committee's view regarding the effectiveness and efficiency of the Trust in general.

1. Investments and Contracts Committee – Lead Officer Clare J Williams

Matters for consideration:

- i) the balance between capital and revenue;
- ii) the financial pressures on the Trust to the future;
- iii) the effectiveness of the contractual arrangements;
- iv) the implications in respect of enhancing the role of the Trust from a financial and investments perspective;
- v) the impact of members on the investments policy from the strategic perspective;
- vi) general matters in respect of ensuring that the Trust is fit for purpose, including the implications in terms of changing the member structure and separating the administration from the County Council in the context of the Committee's work.

2. Regeneration Committee – Lead Officer – Dylan Williams

Matters to consider:

- i) the meaning of regeneration for communities in the context of the charitable objectives;

- ii) the value to Anglesey communities over recent years emanating from the Committee's decisions;
- iii) the possible expectations in regard of the Committee in the context of community regeneration opportunities for the future, including consideration of the prospects for European grant funding from 2015 onwards;
- iv) general matters in respect of ensuring that the Trust is fit for purpose, including consideration of the implications regarding changing the members structure and separating the administration from the County Council to the Committee's remit.

3. General Grants Committee – Lead Officer – Richard Parry Jones

Matters to be considered:

- i) the projects financed by the Committee in recent years;
- ii) the criteria for allocating grants to bodies that meet the requirements;
- iii) changes in the expectations and requirements of communities;
- iv) the link between the Trust and other financial funding sources for communities and the voluntary sector;
- v) general matters in respect of ensuring that the Trust is fit for purpose, including the implications of changing the members structure and separating the administration from the County Council to the Committee's work.

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