

Isle Of Anglesey Charitable Trust Committee

Minutes of the meeting held on 20 January 2015

- PRESENT:** Victor Hughes (Chair)
A M Jones (Vice-Chair)
- R Dew, Jim Evans, Ann Griffith, T LI Hughes, K P Hughes, W T Hughes, Llinos Medi Huws, H E Jones, G O Jones, R.Meirion Jones, Raymond Jones, Alun W Mummery, Dylan Rees, J A Roberts, Alwyn Rowlands, Dafydd Rhys Thomas and Ieuan Williams
- IN ATTENDANCE:** Secretary,
- Officers from the Isle of Anglesey County Council (herein referred to by their IOACC job titles)**
- Acting Accountancy Services Manager (BO),
Senior Accountant (Strategic Planning & Transformation) (BD),
Capital & Treasury Management Accountant (GR),
Administrative Assistant (CS),
Committee Officer (MEH).
- APOLOGIES:** Lewis Davies, D R Hughes, Vaughan Hughes, Carwyn Jones, Jeffrey M.Evans, R G Parry OBE and Nicola Roberts
- ALSO PRESENT:** None
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1 DECLARATION OF INTEREST

No declaration of interest received.

2 MINUTES

The minutes of the meeting held on 11 November, 2013 were confirmed.

3 ADMINISTRATION OF THE CHARITABLE TRUST

The Chair welcomed Mr. Phillip Heath, Weightmans LLP to the meeting.

The Secretary gave a background report to the meeting on the reasons why he had invited Mr. Heath to address the meeting. He noted that Members of the Trust has concerns regarding future administration and safeguarding the assets of the Trust for the benefit of the residents of the Isle of Anglesey.

Mr. Phillip Heath outlined the issues that will need to be clarified to safeguard the assets of the Trust :-

- The original Trust Deed dates from 1990 and refers to Anglesey as a 'Borough' and within the terms of the definition of the document it defines the Trustees as the 'Council' and any other persons holding office as a Trustee of the Trust. In 1996 a 'Deed of Variation' was entered into and part of which the local authority contacted the Charity Commission stating that the local authority was now Isle of Anglesey County Council. However on the Charity Commission's website it seems that they have not amended their documentation. The area of benefit as well

on the Charity Commission's website notes the 'area of benefit' as the Borough of the Isle of Anglesey.

- If, in the future, there was to be a change in local government structure any Member of that Council would become a Trustee of the Trust whether he/she lived or represented people on the island or not. Mr. Heath considered that the current Trust should consider approaching the Charity Commission to submit a Deed of Variation to remove the reference to the 'Council' and to secure the area of benefit as the Isle of Anglesey rather than the 'Borough' or 'Council'.
- The charitable objectives should also be considered to be amended to the 'general benefits should be the persons resident on the Isle of Anglesey.

Members of the Charitable Trust were unanimously in agreement to request Mr. Heath to act on behalf of the Trust in contacting the Charity Commission with the issues as noted above.

Mr. Heath outlined thereafter issues in relation to the administration of the Charitable Trust to the Meeting. The Charity Commission may consider that the separation of interest between the Council and the Charitable Trust may arise to a conflict of interest. The Trustees need to consider as follows:-

- To maintain that the Council providing administrative support to the Trust. The cost of the support would need to be investigated and reported to the Trust;
- That the Trust sets up its own Secretariat to provide support to the Trust;
- To outsource the administration of the Trust to an outside organisation.

Members of the Charitable Trust requested that a report be submitted to the next meeting of the Trust outlining the costings and risks of the above 3 options.

The Secretary stated that questions had been raised at the last meeting of the Trust regarding the eligibility of Amlwch to be able to present applications for funding from the Charitable Trust. He noted that Amlwch received a financial legacy by Shell UK when the company left the area and it is believed that Amlwch Town Council had set up a group to distribute grants thereafter for the benefit of the Amlwch area at that particular period. Members of the Trust were supportive of Amlwch being able to now be considered as any other area within the Island to submit applications for grant funding from the Trust. However they considered that information needs to be gathered as to the organisations that has benefited and a balance sheets needs to be sought from Amlwch Town Council before a decision can be made by the full Charitable Trust.

RESOLVED :-

- **To request Mr. Heath to contact the Charity Commission in respect of the requirement in the Variation of the Trust Deed as noted above.**
- **That a report be submitted by the Secretary and Mr. Heath on the costings and risks of the future administration of the Charitable Trust.**
- **To request the Secretary to contact Amlwch Town Council for information in respect of a balance sheet and beneficiaries of Shell UK legacy to the town and that a report be submitted thereafter to the next meeting of the full Charitable Trust.**

4 ANNUAL REPORT AND ACCOUNTS 2013/14

Submitted – a draft report by the Interim Head of Function (Resources)/S151 Officer in relation to the above.

The Senior Accountant (Strategic Planning & Transformation) 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.

RESOLVED to approve the Annual Report and Accounts for 2013/2014 and to authorise the Chair to sign the final version.

5 BUDGET 2015/16

Submitted – a report by the Interim Head of Function (Resources)/S151 Officer in relation to the Provisional Out-Turn 2014/15 and Budget 2015/16.

The Senior Accountant (Strategic Planning & Transformation) reported that the report requires to confirm funding allocations for 2015/16 and to delegate the funding powers to community and sporting facilities and minor grants to the General Grants Committee. The figures contained within the report are based upon projected outturn for 2014/15. The projected outturn for 2014/15 means that revenue reserves at 31 March 2015 would stand at a deficit of £25k. With the projected growth in investment income, and assuming a reduction in the Oriel Ynys Môn funding to £200k and a reversion to the 2013/14 (£50k) budget delegated to the General Grants Committee, revenue reserves are projected to increase to a surplus position of £7k in 2015/16.

The recommended grants budget for 2015/16 is :-

Oriel Ynys Môn £200k

Village Halls £80k

Community and Sporting Facilities & Minor Grants £50k (the General Grants Committee to have delegated authority to make these grants allocations)

The provisional out-turn and revenue reserves for 2014/15 differ from the strategy and budget was outlined in the report.

It was further proposed that the advertisement for the annual grants to be awarded by the General Grants Committee are made in mid February 2015, with a deadline of mid May 2015 for applications to be submitted.

Issues raised by Members :-

- Concerns expressed that the recommendation within the report to decrease the funding to the Community and Sporting Facilities & Minor Grants from £100k to £50k was unacceptable as it will have an effect on small organisation;
- Members considered that the grant limit for Community and sporting Facilities & Minor Grants should be increased from £6k to £8k;
- Some Members of the Trust were concerned that the funding to Oriel Ynys Môn is to be decreased. The Secretary responded that a decision to decrease the dependence of the Oriel on funding from the Charitable Trust was taken a few years ago with a step annual reduction. Other Members questioned if the Charitable Trust were legally correct to support the Oriel. The Secretary responded that the Charitable Trust funding was used to set up and the running costs of the Oriel over the years. The accounts of the Trust are sent to the Charity Commission annually and no challenge has been received.

RESOLVED :-

- **To adopt a budget for 2015/16 as follows :-**

Oriel Ynys Môn £215k

Village Halls £80k

Community and Sporting Facilities & Minor Grants £125k

- **To delegate to the General Grants Committee the sum of £125k to deal with applications.**
- **That the grant limit in respect of Community and Sporting Facilities & Minor Grants be increased from £6k to £8k.**

6 BANK MANDATE

Submitted – a report by the Interim Head of Function (Resources)/S151 Officer in relation to the above.

The Senior Accountant (Strategic Planning & Transformation) reported that the list of authorised signatories on the current bank mandate for the local (directly managed) bank accounts of the Trust was updated in March 2013, in compliance with the resolution of the Trust and the Trust Deed. The bank mandate refers to signatories for the following relevant areas :-

- (a) To pay all cheques and any other instructions for payment or accept instructions to stop such payments;
- (b) Deliver any item held on behalf on the Corporate Trustee by the bank in safe keeping;
- (c) To act on behalf of the Corporate Trustee in any other transaction with the bank (including closing accounts);
- (ch) to supply the bank with list of persons who are authorised to sign, give receipts and act on behalf of the Corporate Trustee.

The signatory of the Treasurer is required for a number of areas which were listed within the report. The Trust does not currently have a Treasurer, and so to ensure that the mandate remains up to date an amendment to the list of authorised signatories is necessary. It is proposed revised list of authorised signatories is an interim measure, to be reviewed once a Treasurer is appointed or otherwise as appropriate.

RESOLVED, with regard to (a) to (ch) (inclusive) above, to authorise the signature of any two of the following, Secretary of the Trust, Treasurer of the Trust, Chair of the Charitable Trust, Vice-Chair of the Charitable Trust and the Chair of the General Grants Committee

7 ITEM LIKELY TO BE TAKEN IN PRIVATE - UPDATE ON RHOSGOCH LAND

ITEMS TAKEN IN PRIVATE

The Secretary gave an update report on the sale of the land at Rhosgoch. He noted that the deadline for expressions of interest closed in December with an encouraging number of potential interests in the land. The property consultants DTZ will have discussions with potential buyers and will thereafter report formally to the full Charitable Trust.

RESOLVED to note the report.

**Mr. T. Victor Hughes
Chair**