

# Isle Of Anglesey Charitable Trust Committee

## Minutes of the meeting held on 24 January 2013

- PRESENT:** Mr. Elwyn Schofield (Chair)
- Messrs. E.G. Davies, Lewis Davies, Richard A. Dew, Jim Evans, Keith Evans, Mrs. Fflur M. Hughes, K.P. Hughes, R.LI. Hughes, Vaughan Hughes, W.I. Hughes, A.M. Jones, Eric Jones, O. Glyn Jones, R. Dylan Jones, C. McGregor, Bryan Owen, G.O. Parry MBE, Eric Roberts, Ieuan Williams, Selwyn Williams.
- IN ATTENDANCE:** Secretary,  
Head of Function (Resources),  
Head of Service (Finance),  
Head of Service (Leisure & Culture),  
Legal Services Manager (RJ),  
Capital/Treasury Accountant (BD),  
Committee Officer (MEH).
- APOLOGIES:** Messrs. W.J. Chorlton, C.LI. Everett, D.R. Hughes, Raymond Jones, T.H. Jones, Mrs. Rhian Medi, R.L. Owen, Bob Parry OBE, J. Arwel Roberts, Peter S. Rogers.
- ALSO PRESENT:** None

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The Chair welcomed Ms. Clare Williams, the Head of Function (Resources) to the Charitable Trust. He noted that the Trust normally appoints the Council's Chief Finance Officer as Treasurer of the Charitable Trust.

### **1 DECLARATION OF INTEREST**

Mr. Selwyn Williams declared an interest in relation to the Menai Bridge Memorial Centre.

### **2 MINUTES**

The minutes of the meeting held on 29 May, 2012 were confirmed.

### **3 REPORTS OF SUB-COMMITTEES OF THE CHARITABLE TRUST**

#### **3.1 Investments and Contracts Committee**

The minutes of the meeting held on 7 November, 2012 were confirmed and adopted where necessary.

#### **3.2 General Grants Committee**

The minutes of the meeting held on 10 July, 2012 were confirmed and adopted where necessary.

#### **ARISING THEREON**

#### **ITEM TAKEN IN PRIVATE**

**Application 46 – Môn FM (Community Radio Project) (To fund a transmitter and aerial kit)**

Submitted – a report by the Head of Service (Finance) in relation to the above.

It was noted that the application by Môn FM was submitted to the General Grants Committee on 10th July, 2012 when it was considered that additional information was required in relation to the organisation in order to make a fully informed decision on awarding grant funding. The application was for £10k, although the ceiling for these grants is £6k. The Business Plan, the set-up(details of the Secretary, Treasury etc.), conditions of the Operator's Licence and other grants attained were attached to the report as information.

It was further stated that an Operator's Licence has been offered, but not yet awarded, to Menter Môn, on Môn FM's behalf. This is because only limited companies can hold a community radio licence.

The budget of £50k allocated to the General Grants Committee has been used in full. As the 2012/13 year is nearing its end, the funding profile has been reviewed and £16k has been identified as grants being forgone, which were not identified in the original budget.

Members of the Trust expressed that they wholeheartedly supported Môn FM's application as it will promote such activities and benefit young people on the Island who wish to take part in broadcasting and media.

#### **RESOLVED**

- **to allocate a grant of £6k to Môn FM, subject to minor details being resolved between Officers and the organisation;**
- **that Môn FM be requested to forward a further application, if they so wish, under the normal arrangements for inviting applications.**

#### **4a Annual Report and Accounts 2011/12**

Submitted – for adoption, a report by the Head of Service (Finance) in relation to the Annual Report and Accounts 2011/12.

It was reported that since the circulation of the draft report and accounts, to Members, the audit had been completed and only a minor rounding error identified.

**RESOLVED to approve the Annual Report and Accounts 2011/12 and to authorise the Chair of the Trust to sign a final version of the report after the minor changes.**

#### **4b Oriel Ynys Môn**

Submitted – report by the Head of Service (Finance) together with a report, for information, by the Head of Service (Leisure and Culture) on the achievements and performance of Oriel Ynys Môn for 2011/12.

**RESOLVED that the report be referred to the General Grants Committee for information and scrutiny.**

### **5 ADMINISTRATION OF THE TRUST**

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

The Secretary reported that at the meeting of the full Charitable Trust held on 29 May, 2012 there had been a discussion on the appropriateness of establishing a different administrative arrangement for the Trust that would be independent of the Council's administrative arrangements. A general discussion was had on some options for externalising the administration or establishing a specific

administrative system for the Trust. Reference was made to setting aside a sum of £20,000 to undertake a feasibility study into the proposal but no formal resolution was taken to that effect. A Panel was identified to give further consideration to the matter with the intention that it reported back to the Trust in time. The Panel has not met to date, but in the meantime a number of meetings have been held between Officers, and between Officers and the Chair of the Trust.

Currently questions have arisen regarding the relationship between the Council and the Trust which go beyond the discussions regarding separating the administration of the Trust from that of the Council. Initially, the Officers' viewpoint was that they did not have, in their opinion, the specialism or the capacity to provide comprehensive and effective support to the Trust. By now, other considerations were coming to the fore in respect of ensuring that the Trust's constitution, as a charitable entity with the objectives of providing general public benefits for the residents of Anglesey, beyond the areas of responsibility exercised by the County Council, continued to be fit for purpose.

The Chair and the Officers are of the opinion that the Trust should seek specialist advice and guidance for the members to enable them to resolve on the fitness for purpose of the current constitution, the appropriateness for establishing clear barriers between the Council and the Trust, and the way to deal with the Trust's assets and the methods adopted to promote community benefits through awarding grants etc.

The Secretary further reported that declarations of interest in procuring the Rhosgoch site, which is in the ownership of the Trust, have been made by external businesses. The Trust has already approved procuring specialist advice, as required under the regulations of the Charities Commission, to assist in the process of selling the site, following the guidance given by its own Officers that they did not have the skills and specialist knowledge to advise and support the process.

Members agreed that the business of the Charitable Trust and the County Council needs to be separate. Following further deliberations it was **RESOLVED** :-

- **That specialist advice should be procured to consider the fitness for purpose of the Trust's current constitution and administrative arrangements in the context of the recent changes to the Council's own political structure and the new opportunities emerging for community benefits on Anglesey;**
- **To reaffirm the need to procure the services of a Qualified Surveyor to facilitate the process of selling the Rhosgoch site;**
- **To authorise the Trust's Treasurer, to procure the specialist advice required, adhering to the Council's procurement arrangements, as a comprehensive package and to release the sum of £20,000 for the work in respect of the review of the constitution and administration;**
- **To note that the administration of the Charitable Trust and the land at Rhosgoch shall be dealt with separately.**

## **6 FUNDING APPLICATION BY THE CORPORATE PARENTING PANEL**

Submitted – a report by Head of Service (Finance) in relation to the above.

It was reported that the County Council's Corporate Parenting Panel at its meeting held on 22<sup>nd</sup> October, 2012 resolved 'that a request be submitted to the Isle of Anglesey Charitable Trust that it considers match funding every year the Welsh Government's £200 per annum to the ISA account of each looked after child.'

The Head of Service (Finance) reported that in order to be eligible for funding, any project or scheme needs to comply with the general and particular charitable purposes of the Charitable Trust and to fall within the Statement of Funding Priorities. It was noted that the Charitable Purposes of the Trust are the general public benefit of persons resident in the Borough. The application does not fit well with the Trust's objectives.

The Secretary stated that as Chair of the Corporate Parenting Panel he wished it to be noted that he has not taken part in discussion in respect of this application. He noted that Mr. K.P. Hughes and Mr. J.V. Owen are members of the Corporate Parenting Panel.

**RESOLVED to refer the application back to the Corporate Parenting Panel on the basis that the application is not eligible as :-**

- **The Charitable Purposes of the Trust are the general public benefit of persons resident in the Borough;**
- **The proposal does not fall into the particular purposes in the Trust Deed;**
- **The Trust's Statement of Funding Priorities specifies that, apart from Oriel Ynys Môn and other activities approved before April 2007, projects operated by the Isle of Anglesey County Council will not be supported.**

**Mr. Elwyn Schofield  
Chair**