

Isle Of Anglesey Charitable Trust Committee

Minutes of the meeting held on 22 September 2015

- PRESENT:** Victor Hughes (Chair)
T LI Hughes (Vice-Chair)
- R Dew, Jim Evans, John Griffith, K P Hughes, D R Hughes, Llinos Medi Huws, H E Jones, A M Jones, G O Jones, Richard Owain Jones, R.Meirion Jones, Jeffrey M.Evans, Alun W Mummery, Dylan Rees, J A Roberts, P S Rogers, Dafydd Rhys Thomas and Ieuan Williams
- IN ATTENDANCE:** Secretary,
Treasurer.
- Officers from the Isle of Anglesey County Council (herein referred to by their IOACC job titles)**
- Legal Services Manager (RJ),
Principal Valuation Officer (TDE),
Accountancy Services Manager (BHO),
Procurement Officer (SR),
Committee Officer (MEH).
- APOLOGIES:** W T Hughes, Vaughan Hughes, Carwyn Jones, Raymond Jones, R G Parry OBE and Alwyn Rowlands
- 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 13 July, 2015 were confirmed as correct.

3 PROPOSED VARIATION OF THE TRUST DEED

Submitted – the report of the Secretary in relation to the proposed variation of the Trust Deed.

The Legal Services Manager reported that the issue was raised whether it would be open to the Trustee to execute a deed of variation to amend the Trust Deed dated 5 June 1990 in order to replace references in the Charitable Purposes to the former Borough of Anglesey with references to the Isle of Anglesey including Holy Island (the Isle). The area of the former Borough (the Borough) is coterminous with the geographical area of the Isle. Legal Advice was sought from Weightmans LLP and from Francesca Quint, Barrister of Radcliffe Chambers. The Legal Advice was included within the report.

RESOLVED :-

- **That the Trust Deed be varied by the substitution in Schedule B of the Trust Deed dated 5 June, 1990 of the words ‘the Isle of Anglesey (including Holy Island)’ for the words ‘the Borough’ wherever they occur;**

- **The Council's Head of Function (Council Business)/Monitoring Officer be authorised and instructed to execute in the name and on behalf of the Trustee a Deed of Variation in the attached form.**
- **The original Deed of Variation be kept with the Trustees' records relating to the Trust and a certified copy of the executed Deed of Variation be sent promptly to the Charity Commission for England and Wales.**

URGENT ITEM WITH THE CONSENT OF THE CHAIR OF THE ISLE OF ANGLESEY CHARITABLE TRUST

The Secretary stated that he wished to raise a matter of the future administration of the Charitable Trust together with possible appointment of Trustees from outside of the Council membership. The Chairman agreed to the matter being listed as an urgent item for the reason mentioned by the Legal Services Manager (that the issue should be considered now for if any changes were agreed upon then these should be implemented by the start of the next financial year). It was suggested that a Panel be established with membership from the members of the Charitable Trust and Officers and that they report back with their findings to a later meeting.

Following deliberations it was **RESOLVED** that a **Panel of 6 Members of the Charitable Trust be established to discuss the future administration of the Trust as follows :-**

**Chair and Vice-Chair of the Isle of Anglesey Charitable Trust;
Mr. Aled Morris Jones, R. Meirion Jones, Richard O. Jones,
Ieuan Williams.**

4 THE CHARITABLE TRUST AND COUNCIL PROCEDURE RULES

Submitted – the report of the Secretary in relation to the above.

The Legal Services Manager reported that the Charitable Trust at its meeting on 31 July, 1990 resolved that the Standing Orders and Rules of Debate of the Borough Council should apply to the Trust as appropriate. On local government reorganisation on 1 April, 1996, the Borough Council was superseded as a local authority by the Isle of Anglesey County Council and the County Council became the sole trustee of the Trust. The Charitable Trust at its meeting held on 2 April, 1996 resolved to adopt the County Council's Standing Orders insofar as they were appropriate for the conduct of the Trust's business. Since 1996 the County Council has adopted the Constitution in its current form which includes the Council Procedure Rules and Access to Information Rules as the equivalent to standing orders for the conduct of business at meetings of the County Council and its Committees. The Charitable Trust technically still operates under the resolution of 1996 whilst the procedures have developed significantly since then.

A Member raised that within the Constitution at 4.1.24.1 Members 'stand to speak' at the County Council. He questioned if the Charitable Trust will also adopt this issue.

RESOLVED :-

- **That for as long as the County Council remains the sole trustees, all meetings of the Trust and its Committees shall proceed in accordance with the County Council's Procedure Rules from time to time in force except where this would be inconsistent with any provisions of the Trust Deed as amended.**
- **That the requirement of 'standing to speak' within the Constitution at 4.1.24.1 shall not be adopted for proceedings of the Isle of Anglesey Charitable Trust.**

(Mr. Aled M. Jones wished it to be recorded that he voted against the resolution in respect of not 'standing to speak' at the Isle of Anglesey Charitable Trust meetings).

5 PROCEDURE FOR DEALING WITH LARGE APPLICATIONS AND ALLOCATION OF FUNDING TO THE REGENERATION

Submitted – the report of the Treasurer in relation to the procedure for dealing with large applications and allocation of funding to the Regeneration Committee.

The Treasurer reported that each year in January, the Trust receives a report setting out a proposed budget for the following financial year. This report sets out the projected investment income that the Trust expects to realise together with a figure for management fees. It also sets a delegated budget for the General Grants Committee to award grants. That will be augmented from the 2016/17 budget onwards by the recommendation and setting of a similar delegated budget for the Regeneration Committee for larger awards. The total made available to the two committees shall be determined after taking into account the need to maintain the ongoing value of the Trust's investments for future generations. The Treasurer will make arrangements to ensure that a robust applications process exists for larger grant applications that conforms with best practice in terms of internal controls. The process will be subject to provision as noted within this report.

The Committee considered the report and raised the following issues :-

- A view was expressed by a Member of the Trust that the Charitable Trust should not be funding Oriel Ynys Môn; he requested that (viii) of the criteria guidelines within the report referring to Oriel Ynys Môn be removed. The Treasurer responded that the Charitable Trust has historically funded Oriel Ynys Môn and therefore has been included within the criteria guidelines. He noted that it would be a matter for the Regeneration Committee and the full Charitable Trust to discuss funding in future towards Oriel Ynys Môn.
- That 'culture' and 'protecting the environment' should be included at (iv) of the criteria guidelines within the report.

RESOLVED that the Trust agrees :-

- **The approach to determining a budget for the Regeneration Committee each year;**
- **The process and criteria set out in the report.**
- **That 'culture' and protecting the environment be included within (iv) of the criteria guidelines within the report.**

(Messrs. Jeff M. Evans and Dafydd R. Thomas wished it to be recorded that they voted against the inclusion of funding for Oriel Ynys Môn within (viii) of the criteria guidelines within the report.)

6 ITEM TAKEN IN PRIVATE

It was **RESOLVED** to adopt the following :-

“ Under Section 100(A)(4) of the Local Government Act 1972, to exclude the press and public from the meeting during discussion on the following item on the grounds that it may involve the disclosure of exempt information as defined in Schedule 12A of the said Act and in the attached Public Interest Test.”

7 UPDATE REGARDING THE RHOSGOCH SITE

The Secretary and Principal Valuation Officer gave an update report regarding the Rhosgoch Site.

RESOLVED to note the report.

**Mr. T. Victor Hughes
Chair**