

## TRUST COMMITTEE

MINUTES of a meeting held on 30<sup>th</sup> November, 2005.

Present: Councillor F.T. Johnson (Chairman); Councillors J. Clifford, Miss J. Cole, Mrs. S.I. Sharpe, S.T. Wiliam and E.T. Williams.

### 635 APOLOGY FOR ABSENCE -

This was received from Councillor A.G. Powell.

### 636 MINUTES -

RECOMMENDED - T H A T the minutes of the meeting held on 14<sup>th</sup> November, 2005 be approved as a correct record.

### 637 DECLARATIONS OF INTEREST -

No declarations were received.

### 638 EXCLUSION OF PRESS AND PUBLIC -

RESOLVED - T H A T under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, the relevant paragraphs of the Schedule being referred to in brackets after the minute heading.

### 639 COWBRIDGE COMPREHENSIVE SCHOOL RE-DEVELOPMENT (EXEMPT INFORMATION - PARAGRAPHS 7, 8 &9) -

The report before the Trust Committee sought clarification in relation to the payment of fees for independent solicitor and valuation advice to the Committee and to determine the process of advising the Sir Thomas Mansel Franklen Trust of the pending proposals.

At the last meeting of the Trust Committee it had

### RESOLVED -

**(1) T H A T the independent solicitor confirm with the local authority the understanding that the local authority would pay the legal costs for**

**the independent legal advice and surveyors fees for the Trust Committee (in relation to the Cowbridge Re-development Proposals).**

**(2) T H A T the Chairman of the Committees' agreement be confirmed in relation to the amount of monies that they may be required to be reserved pending confirmation of (1) above for any liabilities incurred from the clear income to 30<sup>th</sup> September and to consider the amount to be forwarded to the Sir Thomas Mansel Franklen Trust.**

The independent solicitor advised the Committee that confirmation of resolution (1) above was still awaited from the local authority. In the circumstances and acting in the best interests of the charitable objectives of the Trust, the Trust Committee should consider seeking clarification from the Cabinet on legal and valuation fees at the earliest opportunity.

**RESOLVED -**

(1) T H A T Cabinet be asked to confirm that they will pay the Trust's legal and valuation costs in investigating the proposal to dispose of land at Cowbridge Comprehensive School.

(2) T H A T in the event that the local authority did not wish to give an undertaking to the Trust Committee in respect of the Trust's legal and valuation fees incurred re the Cowbridge proposals then the Trust Committee further consider whether the best interests of the charitable purposes would be achieved by delaying any investigation into disposal proposals until after the sites became vacant.

(3) T H A T in the event that the legal and valuation costs are met by the local authority (as (1) above) in accordance with a suitable undertaking, the clear income for the period 1<sup>st</sup> April, 2005 to 30<sup>th</sup> September, 2005 be paid to the Sir Thomas Mansel Franklen Trust subject only to a reserve for the audit fee. Otherwise, a reserve of £4000 from the current accumulated income must be made before the payment can be forwarded to the Sir Thomas Mansel Franklen Trust of the balance of accumulated income to 30<sup>th</sup> September, 2005.

(4) T H A T in order to avoid Sir Thomas Mansel Franklen Trust potentially making any plans for future income which might not be forthcoming that the Chairman and a Committee Member together with the independent solicitor (if necessary) are instructed to arrange to meet with the Chairman of the Sir Thomas Mansel Franklen Trust to advise them of the current pending proposals.

Reasons for decisions

- (1) To seek clarification from the Cabinet.
- (2) In the interests of the Trust's charitable objectives.
- (3) To comply with a request from the Sir Thomas Mansel Franklen Trust.

(4) To apprise the Sir Thomas Mansel Franklen Trust of the possible proposals."