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| Meeting of: | Welsh Church Act Estate Committee |
| Date of Meeting: | Monday, 18 January 2021 |
| Relevant Scrutiny Committee: | No Relevant Scrutiny Committee |
| Report Title: | Update on Development Site Review Report and conclusions for Glebe Fields |
| Purpose of Report: | To update Committee on the Development Review Report for Glebe Fields |
| Report Owner: | Rob Thomas, Director of Resources |
| Responsible Officer: | Carys Lord, Head of Finance |
| Elected Member and Officer Consultation: | <p>Committee Reports - Legal OM Accountancy Head of Finance</p> <p>No ward member consultation - since Members of this Committee are acting as Committee Members independent of other Council's resolutions, no wider consultation has taken place</p> |
| Policy Framework: | The Trustees are working independently of other Council decisions and in accordance with the requirements of Charity Law. |
| <p>Executive Summary</p> <ul style="list-style-type: none"> This report (along with the additional detail contained within the Part II report) is intended to provide an update to Committee on the work undertaken by the Planning Department on the Development Site Review Report for Glebe Fields since the last Committee meeting in September 2020 and to seek instructions from the Trust in terms of next steps. | |

Recommendation

1. That the report is noted and considered so that a decision on this matter can be taken under Part II of this Committee agenda

Reason for Recommendation

1. To enable a decision to be made under Part II of this agenda

1. Background

- 1.1** Committee commissioned Qualified Surveyors Messrs Cooke & Arkwright to produce a Report to consider the best value of the land at Glebe Fields. The Cooke & Arkwright Report recommended that a residential use would achieve the best value of the land but under the current Local Development Plan (LDP) a residential development in this location would be restricted.
- 1.2** Consequently, it was resolved that Committee should instruct officers to review the site to understand whether the site would be considered an appropriate location for a residential allocation in the future and if so determine what the procedure is to submit the land as a candidate site as part of the 2021 Vale of Glamorgan LDP Review.
- 1.3** At its meeting of the 28th September 2020, Committee resolved:
 1. That the procedure and process for proposing the Glebe Field as a Candidate site for the Vale of Glamorgan Council LDP Review be noted;
 2. That the Vale of Glamorgan Planning Dept be instructed to undertake a Development Site Review.
- 1.4** Since September 2020, the Council's Planning Department have been working on a Development Site Review Report, in line with the previous resolution of Committee. The report has now been finalised and is attached as Appendix A to the Part II report on this agenda.
- 1.5** The Development Site Review Report is split into different sections to clearly outline the relevant planning considerations. Section 2 (Site Location), Section 3 (Planning Constraints) and Section 4 (Planning Policy) are based upon the Planning Statement which was previously presented to Committee. These sections have been updated where appropriate. The report will be discussed in further detail under Part II of this agenda.

2. Key Issues for Consideration

- 2.1** In the event that the Committee are minded to continue to progress towards an ultimate disposal of the Glebe Fields then under the requirements of s.117 and s.119 of the Charities Act 2011, the Committee as Trustees are to act in accordance with the Qualified Surveyors recommendations or to obtain permission from the Charities Commission to dispose of the site other than in accordance with the Qualified Surveyors recommendation.
- 2.2** The Trustees are under no duty to dispose of the Glebe Field.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** The Trusts actions need to comply with Charity law and its decisions are independent of the Council's obligations under the Well-Being of Future Generations Act.

4. Resources and Legal Considerations

Financial

- 4.1** Delegated authority is requested (in consultation with the Chairman of this Committee) to agree to the appointment of suitable consultants to provide the required site investigations/survey work. There are a number of surveys required and therefore the Trusts Accountancy team will also be consulted prior to appointment of the consultants.

Employment

- 4.2** There are no employment implications arising from this report.

Legal (Including Equalities)

- 4.3** The Trust has a duty to manage lands and property held by them in accordance with the Scheme of Trust and with Charity Law and decisions should be consistent with the Charity Objects and powers.
- 4.4** There is a Legal requirement for Trustees to:
- (a) Act within their powers;
 - (b) Act in good faith and only in the interests of the charity
 - (c) Make sure they are sufficiently informed

- (d) Take account of all relevant factors
- (e) Ignore any irrelevant factors
- (f) Manage conflicts of interest
- (g) Make decisions that are within the range of decisions that a reasonable trustee body could make

5. Background Papers

None