

Meeting of:	Welsh Church Act Estate Committee
Date of Meeting:	Monday, 14 June 2021
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Land at Cassy Hill, Cadoxton
Purpose of Report:	To update Committee as to the advice contained in the Qualified Surveyor's report provided in accordance with s.119 of the Charities Act 2011 in respect of a small parcel of land at Cassy Hill, Cadoxton and to seek instructions on a suitable way forward
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"> The report is intended to update Committee following the receipt of the Qualified Surveyor's report required in accordance with s.119 of the Charities Act 2011. 	

Recommendations

1. That Committee consider the Qualified Surveyor's report and recommendations in the Part II report on this agenda;
2. That having considered the part II report and recommendations, Committee consider next steps and how they wish to proceed.

Reasons for Recommendations

1. In order for the Qualified Surveyor's report to be considered fully and in accordance with Charity Law;
2. In order to agree a way forward for the land in question having considered the recommendations within the Qualified Surveyor's report and in line with Charity Law.

1. Background

- 1.1 The Trust owns a very small parcel of land at Cassy Hill which measures approximately 33 sqm. The location of the land can be seen on the plan at Appendix A.
- 1.2 Officers were approached by a member of the public who expressed an interest in purchasing / maintaining the land referred to as the applicant wished to tidy up the land and generally keep the land in good condition. In consultation with the Chairman, a Qualified Surveyor's report was sought to inform Committee's consideration of this request.

2. Key Issues for Consideration

- 2.1 The Committee are under no duty to dispose of the land.
- 2.2 The report and recommendations of the "Qualified Surveyor" has now been received and the details are reported under part II of this agenda.

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

- 3.1 The Trust's 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** The Council's retained valuation advisers were asked to provide a quotation to provide the Qualified Surveyor's report as the land concerned is such a small parcel of land. The quotation was discussed with the Chairman of this Committee and the appointment confirmed. The cost of the Qualified Surveyor's report was £250. If Committee are minded to progress with the disposal of this land, the applicant will be requested to reimburse the Trust for the cost of procuring this report as part of the terms and conditions of any sale.

Employment

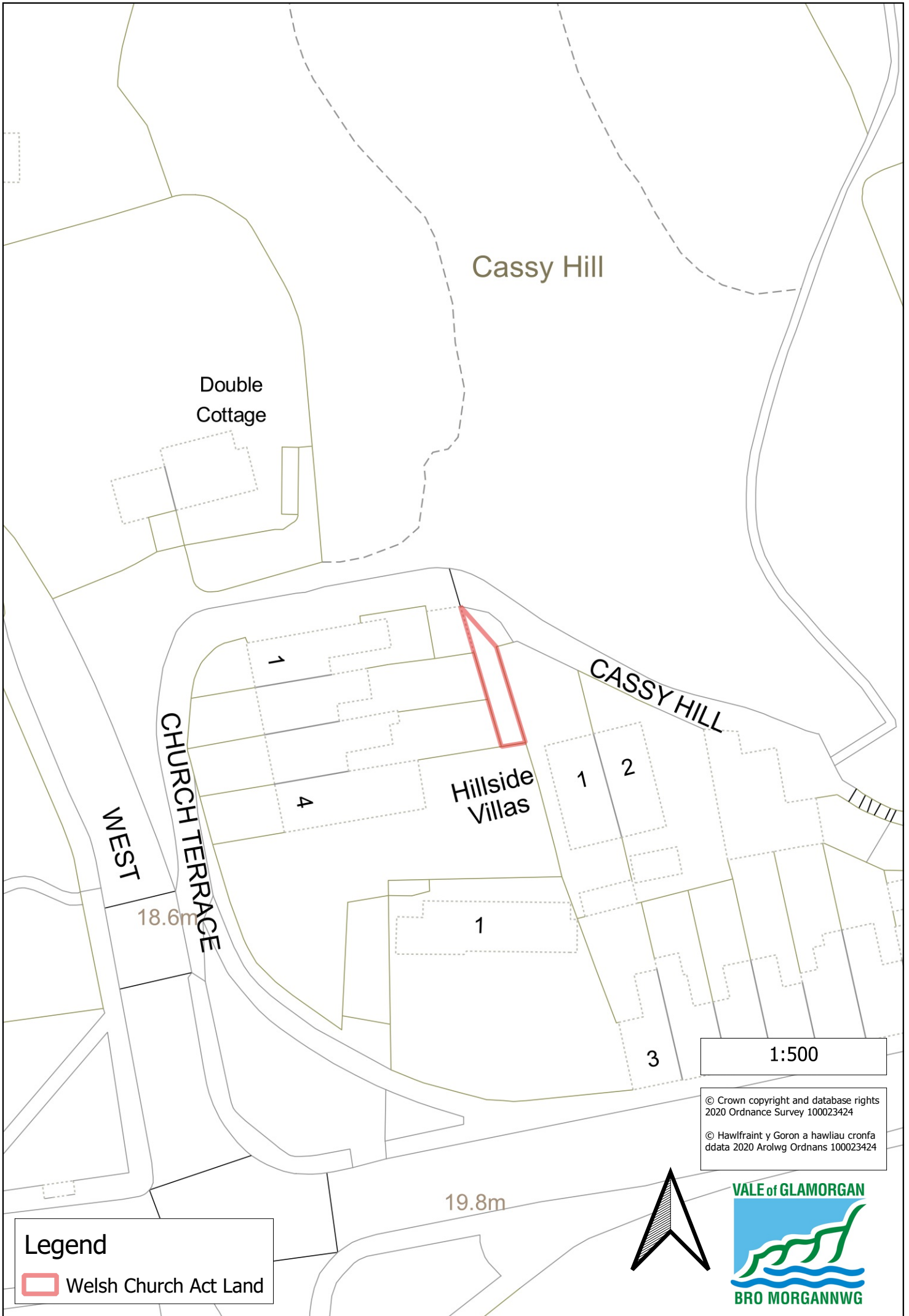
- 4.2** There are no employment implications arising from this report.

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



Cassy Hill

Double Cottage

CASSY HILL

Hillside Villas

CHURCH TERRACE

WEST

18.6m

19.8m

1:500

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Legend

 Welsh Church Act Land

