

Meeting of:	Welsh Church Act Estate Committee
Date of Meeting:	Monday, 31 January 2022
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Land at Cassy Hill, Cadoxton - Update
Purpose of Report:	To update Committee of progress made since the last Committee resolution in June 2021.
Report Owner:	Rob Thomas, Chief Executive
Responsible Officer:	Interim Head of Finance
Elected Member and Officer Consultation:	Committee Reports - Legal OM Accountancy 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
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"> Committee previously resolved to dispose of the land at Cassy Hill to the applicant on terms and conditions to be agreed. This report updates Committee on progress since the last resolution in June 2021. 	

Recommendation

1. That Committee notes the contents of the report and considers the detail contained within the Part II report to follow on this Agenda.

Reason for Recommendation

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

1. Background

- 1.1 Committee previously resolved to:

(1) T H A T the expression of interest in the small parcel of land at Cassy Hill, Cadoxton be noted.

(2) T H A T the land referred to be disposed of in accordance with the Qualified Surveyor's report.

(3) T H A T delegated authority be given to the Operational Manager for Property, in consultation with the Chairman of this Committee and the Operational Manager for Legal Services, to agree the terms and conditions of the disposal.

(4) T H A T the Operational Manager for Legal Services be granted delegated authority to draft, complete and execute any documentation required to effect the sale.

2. Key Issues for Consideration

- 2.1 Following the resolution of Committee in June 2021, Heads of Terms were drafted in consultation with the Chair of this Committee and subsequently agreed with the applicant. Legal officers were instructed to prepare sale documents based on the agreed Heads of Terms.
- 2.2 Since that time, representations from the local residents have been received. Representatives of the residents and the purchaser have been invited to address Committee in order to outline their respective positions.
- 2.3 Following consideration of the representations from both parties and the report under Part II of this Agenda, Committee is asked to consider next steps.

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** As referenced in the Part II report.

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