

Meeting of:	<b>Welsh Church Act Estate Committee</b>
Date of Meeting:	<b>Monday, 31 January 2022</b>
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Lane to the rear of Church Road, Cadoxton
Purpose of Report:	To update Committee on progress since the last resolution of Committee.
Report Owner:	Rob Thomas, Chief Executive
Responsible Officer:	Carolyn Michael, Interim Head of Finance
Elected Member and Officer Consultation:	<p>Committee Reports - Legal OM Accountancy</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"> <li>To provide an update to Committee following the last resolution of Committee.</li> </ul>	

## **Recommendation**

1. That Committee notes the updated position and Committee provide instructions on how it wishes officers to progress following consideration of the report outlined in Part II of this Agenda

## **Reason for Recommendation**

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

### **1. Background**

- 1.1 Committee considered an update of this position at its June 2021 meeting and resolved that:

(1) T H A T a determination regarding how to move forward with a long-term solution associated with maintenance and management of the land be deferred (save for the actions authorised pursuant to resolution 2 below) in order that Trustees have the opportunity to visit and assess the site on an individual basis.

(2) T H A T the owners of the properties at Church Road adjacent to the land be contacted and advised of a possible opportunity to gain possession of the land.

### **2. Key Issues for Consideration**

- 2.1 In respect of resolution (2) above, officers have approached all owners of the properties backing onto the lane and the outcome of that consultation will be 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 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