

Minutes of the Charities and Trusts Committee Meeting held on 15 November 2022

Present:

Attendance

Thomas Jay
David Smith (Vice-Chair)

Mark Winnington

Apologies: Paul Snape

Part one

8. Declaration of Interests

There were no Declarations of Interest on this occasion.

9. Minutes of the meeting held on 14th June 2022

Resolved - That the minutes of the meeting held on 14 June 2022 be approved and signed by the Chair as an accurate record.

10. Endowment Charities' Annual Accounts 2021/22

The Committee received a report on the Endowment Charities' Annual Accounts 2021/22 for the 12 Charities where the Council is the Custodian Trustee. The Committee were asked to approve the Trustee's Annual Reports for the 3 Charities where Staffordshire County Council has been appointed Custodian Trustee.

The Committee were also informed that 3 of the 12 Charities, with income levels of over £25,000, had their annual reports included for approval by the Committee, which have been audited by the Staffordshire Internal Audit Service, prior to submission to the Charity Commission.

Councillor Smith queried whether the threat level on the investments within the charities that we administer would be considered high, due to the ongoing economic situation. The challenging economic environment was acknowledged and the Committee were advised that whilst the market valuations of the charities' investments may be impacted, the primary focus for the charities should be the consistency of income they received. CCLA Investment Management, whose funds the charities' permanent endowment is invested in, aim to maintain their annual income distribution year on year

and they have done so in 2021 and 2022. The 3-year annualised investment return, on 30 June 2022, was also noted, at 6.88%.

Resolved – That (a) the Charities and Trusts Committee approve the Annual Accounts for 2021/22 for the 12 Charities where the Council is the Custodian Trustee; and

(b) the Charities and Trusts Committee approve the Trustee's Annual Reports for the 3 Charities which are required to submit such to the Charity Commission.

11. Brewood Middle School - Orchard Planting

The Committee received a report on Orchard Planting at Brewood Middle School and were asked to review the contents of the report and provide a recommendation to proceed or decline the request by the Brewood Middle School.

The Committee were asked to consider the request to allow Brewood Middle School to enter an agreement with Forest of Mercia to plant and maintain a community orchard on the charity-controlled land. The land was held in Trust as part of the Brewood Educational Charity with Staffordshire County Council acting as trustees, therefore consent was required by the Trustees prior to any activity taking place on the land.

Councillor Jay queried what Damson Lodge was in relation to the school. It was confirmed that Damson Lodge was an adjacent property and had not made any negative comments regarding the Orchard being planted and welcomed this. The trees planted would not be on any land other than that of the schools.

Councillor Winnington raised a query on whether this project required planning permission and also asked whether the new build zone had been confirmed for building and when this was likely to be taking place. . The officer advised that planning permission was not required in this instance and the new build zone was in place in case for future years the requirement should be needed that would be where any additional school accomodation would be built, so this would not affect the orchard. Councillor Winnington also raised whether the orchard would be protected if the school was to move/close. It was confirmed that there were currently no legally binding agreements, but removal of the orchard would following usual planning processes including established use and local consultation.

It was confirmed by officers that although it stated community orchard on the report, the majority use would be that of the school, with the school stating they would have a minimum of 80% of the use of the orchard. It was also highlighted to the committee that any use had to be within the

conditions set out in the academy lease, which meant there would not be the potential for excessive community usage nor any determinant to educational use of the land.

It was agreed to proceed with the Orchard, with a condition that further clarity was sought from Brewood Middle School on the use of the orchard and any potential future community use.

Resolved - That consent be given to the orchard proposal and that officers are to ensure that any such use is in accordance with the terms of the Academy lease.

12. Exclusion of the Public and Press

Resolved - That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 indicated below.

Chairman