



CABINET AS TRUSTEES OF BLACKWOOD MINERS INSTITUTE

**MINUTES OF THE MEETING HELD AT SIRHOWY ROOM, PENALLTA HOUSE,
TREDOMEN, YSTRAD MYNACH ON WEDNESDAY, 27 JULY 2016 AT 2.30 PM**

PRESENT

Councillor K. V. Reynolds – Chair

Councillors:

Mrs C. Forehead (Cabinet Member for Human Resources and Governance/ Business Manager), N. George (Cabinet Member for Community and Leisure Service), D. Havard (Cabinet Member for Education and Lifelong Learning), K. James (Cabinet Member for Regeneration, Planning and Sustainable Development), D.V. Poole (Deputy Leader and Cabinet Member for Housing), T. Williams (Highways, Transportation and Engineering) and R. Woodyatt (Cabinet Member for Social Services)

Together with:

C. Burns (Interim Chief Executive), N. Scammell (Acting Director of Corporate Services & S151) and C. Harry (Corporate Director Communities).

Also Present:

D. Whetter (Interim Head of Regeneration) and C. Evans (Committee Services Officer).

1 TO RECEIVE APOLOGIES FOR ABSENCE.

Apologies were received from Councillor D.T. Hardacre, Mrs B. Jones and D. Street.

2 DECLARATIONS OF INTEREST.

There were no declarations received at the beginning or during the course of the meeting.

3 CHARITABLE STATUS OF BLACKWOOD MINERS INSTITUTE.

The Report advised Members of the Statutory requirements relating to the charitable status of Blackwood Miners' Institute and sought approval to implement new measures to ensure

compliance with charity law in relation to the submission of the accounts. In addition the report considered and set out recommendations regarding the ongoing management of the Blackwood Miners' Institute and the council's responsibilities as Trustee.

Blackwood Miners' Institute was conveyed as a charitable trust to Islwyn Borough Council (and subsequently to Caerphilly County Borough Council) and was registered as a charity on 13th November 1990.

The local authority, acting as sole corporate trustee, has a legal duty to operate the charity in accordance with the governing document and has a legal obligation to account for the charity's finances in accordance with the Charity Act 2011.

The Charity Commission has recently indicated that the Council, as sole trustee, is not accounting and reporting on the charity separately in accordance with the requirements of the Charity Act 2011, and therefore new measure are required in order to clarify the local authority's relationship to the charity and in order to satisfy to the Charity Commission that council is fulfilling its responsibility in accordance to charity law.

Following consideration and discussion, it was moved and seconded that the recommendations in the report be approved. By a show of hands this was unanimously agreed.

RESOLVED that for the reasons contained in the Officers: -

- (i) Cabinet continue to act as Trustees of Blackwood Miners Institute (BMI);
- (ii) the day to day management of BMI operates under the Theatre Manager (overseen by the Interim Head of Regeneration) and periodic reports be presented to Cabinet as Trustees;
- (iii) the proposal that the preparation and submission of the annual statement of accounts and the report on the BMI's finances to the Charity Commission (in a format which complies with SORP (including independent examination or audit of the accounts)), be delegated to the Head of Corporate Finance, be endorsed;
- (iv) meetings with Cabinet as Trustees be arranged to discuss the strategic management of the BMI which will include consideration of the outcomes of the Business Improvement Project as outlined in paragraph 6.3 of the report.

The meeting closed at 3.30 pm