



**CABINET AS TRUSTEE OF
CWMCARN MEMORIAL COTTAGE HOSPITAL FUND
11TH NOVEMBER 2015**

SUBJECT: CWMCARN MEMORIAL COTTAGE HOSPITAL FUND

REPORT BY: INTERIM HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To seek authority of Cabinet, acting for the council as corporate trustee (the Trustee) to expend the remaining capital and interest of the Cwmcarn Memorial Cottage Hospital Fund ("the Fund").

2. SUMMARY

- 2.1 To provide the necessary approval to expend the capital and interest remaining of the Fund.

3. LINKS TO STRATEGY

- 3.1 To act as Trustee of Cwmcarn Memorial Cottage Hospital Fund.

4. THE REPORT

- 4.1 By way of background information, the above-mentioned charity was established following a public collection in 1875 following a flooding disaster in the Cwmcarn Valley. The monies were originally collected with a view to establishing a cottage hospital as a memorial. That original object of the charity could not be achieved and in 2004 a report sought authority to wind up the charity and to expend the capital of the charity. At that time it was resolved that
- 4.1.1 *the Council being satisfied that the restriction with respect to the expenditure of capital which is permanent endowment comprised in the trusts of the charity be removed in accordance with the provisions of Section 75 of the Charities Act 1993.*
- 4.1.2 *the Head of Legal Services, Head of Lifelong Learning and Leisure and the Group Manager Countryside Services in consultation with local members make arrangements for the provision of a suitable plaque and/or living memorial.*

- 4.1.3 *in consultation with local members the balance of the capital of the charity be distributed equally between the health centres in Abercarn and Risca for use towards the purchase of medical equipment.*
- 4.2 The charity was wound up. A memorial in the form of a bench depicting the wave that washed away the Flannel Factory was completed in 2007.
- 4.3 The current balance of the fund including interest up to 31st March 2015 is £18,695.98
- 4.4. Officers have previously sought the views of local members and whilst it is still proposed that part of the fund should be used to assist Risca and Abercarn surgeries, part of the fund should also be used towards an additional memorial to commemorate the disaster.
- 4.5 Both Abercarn and Risca surgeries have been approached regarding the proposal to distribute the funds and have each provided a list of items which, would contribute to the running of each practice and the service they provide to patients. The list of items for each surgery is set out at Appendix 1. The total cost of the items requested by Risca Surgery is £5,999.94 and in respect of Abercarn the total cost is £6,000.80.
- 4.6 If Cabinet as Trustee endorses the payment of the amounts set out in clause 4.5 the remaining balance of £6,695.24 (together with any interest which may accrue in the interim period) will be available to provide an additional memorial to commemorate the disaster.
- 4.7 In respect of the provision of the additional memorial, following consultation, Cwmcarn Residents and Community Association have agreed to undertake the necessary work to provide such a memorial. This will include initial consultation work with the local community and obtaining any consents required to construct the memorial.
- 4.8 It is recognised that the process leading up to the erection of the memorial will take a considerable period of time to complete and as such it would not be appropriate to distribute the funds at this time. Therefore in order to facilitate the provision of the memorial Cabinet as Trustee is asked to endorse the principal of utilising the sum of £6,695.24 (together with any interest which may accrue in the interim period) towards a memorial to commemorate the disaster, the provision of which will be undertaken by the Residents Association. In addition, to delegate its powers to distribute the monies at the appropriate time to the Head of Legal Services in consultation with the Cabinet Member for Regeneration and Planning.
- 4.9 Cabinet as Trustee is therefore asked to consider the report and the recommendations in paragraph 9 below.

5. EQUALITIES IMPLICATIONS

- 5.1 There are no equalities implications as the Trustee has an obligation to expend the capital and interest of the Fund.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications as the expenditure of the capital and interest as proposed in the recommendations set out in this report will result in the expenditure of all remaining assets of the Fund.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications as the expenditure of the capital and interest as proposed in the recommendations set out in this report will result in the expenditure of all remaining assets of the Fund.

8. CONSULTATIONS

- 8.1 Consultation was undertaken with local members in 2010 on a variety of proposals put forward by the Residents Association as to the distribution of the remaining balance of the fund. Responses included the division of the fund between Risca and Abercarn Surgeries. As a result of further consultation with the Residents Association it is proposed that part of the fund is used to facilitate an additional memorial in addition to the monies to be given to the surgeries. Given that the current proposals reaffirm the decision taken by Cabinet in 2004 there has been no additional Consultation undertaken, however this report has been circulated to local members requesting that the content be noted.

9. RECOMMENDATIONS

It is recommended that Cabinet as Trustee endorse the following recommendations.

- 9.1 That the sum of £6000.80 and £5999.94 be distributed to Abercarn and Risca surgeries respectively to be spent on the items identified in Appendix 1.
- 9.2 That the remaining sum of £6,695.24 together with any additional interest which may accrue be used towards the costs of an additional memorial to commemorate the event, this project to be undertaken by the Cwmcarn Residents and Community Association.
- 9.3 That the power to release the remaining funds to the Cwmcarn Residents and Community Association to be used towards a memorial to commemorate the event be delegated to the Head of Legal Services in consultation with the Cabinet Member for Regeneration and Planning.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 To distribute the remaining capital and interest of the Fund.

11. STATUTORY POWER

- 11.1 Charities Act 2011.

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Councillor N George
Councillor P Leonard
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Background Papers:
Exempt Report to Cabinet 2nd November 2004

Appendices:
Appendix 1 Abercarn and Risca Surgeries List of Items Requested