

CHARITABLE TRUST COMMITTEE
11/03/2020 at 4.00 pm



Present: Councillor Iqbal (Chair)
Councillors Ali and Hamblett

Also in Attendance:

| | |
|----------------------------|-------------------------|
| Elizabeth Cunningham-Doyle | Solicitor |
| Keith Moss | Estates Surveyor |
| Justine Race | Northern Roots |
| Sian Walter-Browne | Constitutional Services |

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting of the Charitable Trust Committee held on 18th December 2019 be approved as a correct record.

6 **CONSULTATION WITH REGARDS TO CHARITABLE USE OF LEES RECREATION GROUND WITHIN THE SNIPE CLOUGH AREA**

Consideration was given to a report of the Strategic Director of Communities and Reform which provided the Committee with an update on the formal consultation undertaken as advised by the Charitable Trustees.

The Committee was reminded that, at its meeting on 13th June 2019, the Northern Roots project team were granted permission to conduct a consultation exercise with local communities and stakeholders, with a view to possibly widening the objectives of the charitable use of the Lees Recreation Ground land and consider whether or not to swap the location of the land to a more accessible/suitable location within the proposed Northern Roots site.

At its meeting on 5th September 2019, the Committee authorised officers to begin a formal consultation process on widening the objectives of the charity to nature-based educational activities.

This consultation had taken place between 1st November 2019 and 31st January 2020, with a consultation form being sent out via email to organisations and individuals. Reminders were issued, encouraging people to take the opportunity to provide

feedback via the consultation form on two separate occasions and, at the close of the consultation, seventeen responses were received.

Of the seventeen responses, fifteen agreed with the proposals and two disagreed. The Committee noted the outcome of the consultation and the comments received.

The Committee considered the reasons put forward to support or not support the proposal and decided that it was in the best interests of the charity to widen the charity's objects to facilitate greater use of the ground. Previously the scope was too narrow and the widened objectives would mean that the ground would be accessible for wider community use.

RESOLVED that:

1. The report and the outcome of the formal consultation be noted.
2. An application be made to the Charity Commission to broaden the objectives of the charity to include nature-based educational activities.

7

**PROPOSED SALE OF 146 WERNETH HALL ROAD,
WERNETH (L00220)**

The Committee gave consideration to a report of the Senior Estates Surveyor which sought approval to the sale of 146 Werneth Hall Road, Werneth to the highest unconditional bid with confirmed funding support.

The Committee were reminded that, in 2019, the Charity Commission considered an application by the Council to vary the charitable objectives of the trust and provided a Cy-pres Scheme. The Scheme, dated 11th September 2019, authorised the sale of the premises, with a caveat that the net proceeds must be held upon trust as an endowment. This meant that only the interest on the capital investment could be distributed to further the objects of the Charity.

New objectives were agreed *“To advance the education of the public by grant funding charities offering training and learning in the life skills necessary to manage financial hardship, social or economic deprivation, social exclusion or poor mental or physical health”*

At its meeting on 5th September 2019 the Committee authorised officers to market the property.

The property was offered to the market by informal tender, with no guide price. Bidders were advised that a sale would not proceed with a connected person, namely any party that was associated with the Charity or the Council. Bidders were asked to sign a declaration form confirming that they were not a connected person.

On completion of the tender exercise, one outstanding bid was received, from a local business with substantial finance

available. Acceptance of that bid was recommended, subject to a due diligence review.



Oldham
Council

RESOLVED that:

1. The freehold interest with vacant possession of 146 Werneth Hall Road be sold to the highest bidder after completion of the due diligence exercise.
2. The Director of Legal Services be authorised to proceed with the completion of the conveyance in an expeditious timescale.
3. The net proceeds of sale be moved into an escrow interest-earning account from which the Charitable Trust Committee can use the annual interest for specific purposes, in accordance with the objectives of the Sarah Anne Lees Charity.
4. The costs of sale and any expenditure in connection with the upkeep of the building as authorised by the Charity Commission be deducted from the capital sum.

The meeting started at 4.05 pm and ended at 4.28 pm