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CHARITABLE TRUST COMMITTEE

Agenda

- Date Wednesday 29 November 2023
- Time 6.00 pm
- Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL
- Notes 1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services in advance of the meeting.
2. CONTACT OFFICER for this Agenda is Constitutional Services Tel. 0161 770 5151 or email constitutional.services@oldham.gov.uk
3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12.00 noon on Friday, 24th November 2023.
4. FILMING - The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming. Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Recording and reporting the Council's meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

Please also note the Public attendance Protocol on the Council's Website https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

MEMBERSHIP OF THE CHARITABLE TRUST COMMITTEE
Councillors Birch, Byrne (Chair), J. Harrison, Malik and Marland

Item No

1 Apologies for Absence

- 2 Urgent Business
Urgent Business, if any, introduced by the Chair.
- 3 Declarations of Interest
To receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time
To receive Questions from the Public, in accordance with the Council's Constitution.
- 5 Minutes (Pages 1 - 4)
The minutes of the Charitable Trust Committee held on 27 September 2023 are attached for approval.
- 6 Exclusion of Press and Public
That, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following two items of business on the grounds that they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.
- 7 Lower Memorial Park (Pages 5 - 10)
To receive a briefing regarding some proposed works to the Park with the aid of grant monies
- 8 Sarah Anne Lees Charitable Trust - Requirement for Amended Resolution
The Committee will recall that at the September Committee meeting this item was deferred so that the wording of the following words for inclusion in the Resolution i.e. 'Appropriate bodies or organisations providing assistance or services in keeping with the objects of the charity' be reworded to include specific reference to lifestyle activities instead of the generalistic terms set out.

The Report is to follow.
- 9 Archie Brown Charitable Trust - Update on the progress of Consultation
To receive update on public consultation regarding change of objects (consultation closes 10 December 2023).

Report to follow.

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Present: Councillors Birch, Byrne, J. Harrison and Marland

Also in Attendance:

Paul Rogers

Constitutional Services

James Postle

Finance Manager

1 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Malik.

2 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

3 **URGENT BUSINESS**

There were no items of urgent business received.

4 **PUBLIC QUESTION TIME**

There were no public questions for this meeting of the Committee to consider.

5 **MINUTES**

RESOLVED that the minutes of the meeting held on 13 June 2023 be approved as a correct record.

6 **CLAYTON PLAYING FIELDS TRUST - ANNUAL REPORT FOR THE YEAR ENDED 31 MARCH 2023**

Resolved:

That the Clayton Playing Fields Trust accounts for the year ended 31 March 2023 be approved.

7 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

8 **THE ARCHIE BROWN CHARITABLE TRUST**

The Committee considered a report regarding commercially sensitive information in relation to a Long Underleasehold property more particularly referenced to in the report.

Reference was made to the consultation to be carried out and it was suggested that Action Together, Age Related Group, Age Concern and Ward Councillors should be included in the consultation process.

Resolved: that subject to Action Together, Age Related Group, Age Concern and Ward Councillors being included in the

consultation advertising as referred to in 1 below the following be approved -



Oldham
Council

1. The Charitable Trust Committee (having already resolved that the Charity Property should be sold as soon as reasonably practicable and, if recommended by a suitable independent expert, by auction sale) authorises and instructs Legal Services, Oldham Borough Council, to carry out on behalf of the CTC a consultation in accordance with the requirements of the Charity Commission in order for the Commission to further a Scheme to be issued in respect of the Charity to enable the following:

1.1 The alteration of the objects of the Charity to: "To use the assets of the Charity to provide financial support and assistance to one or more organisations or bodies of a charitable or voluntary nature that provide support and/or assistance (both practical, social and financial) to persons of and above pensionable age by the giving of grants (on application) and/or donations by the Charity to such organisation or bodies.", and

1.2 The sale of the Charity Property on the open market (if required by circumstances, subject to any rights of occupation of CO-OPERATIVE GROUP ESTATES SERVICES LIMITED ("Co-op" in respect of the garage situated on the Charity Property).

1.3 Pending the sale of the Charity Property the grant of a renewal lease to the Co op in respect of the garage at the Charity Property on such terms as a suitably qualified person shall recommend.

2. To authorise and request Legal Services, Oldham Borough Council on the CTC's behalf to report back to the Charity Commission with copies of any responses to the consultation received by the CTC/the Council on behalf of the CTC.

3. To authorise and request Legal Services, Oldham Borough Council on the CTC's behalf to continue to press for the issue of a Scheme by the Charity Commission following completion of the consultation and report back on results of such consultation on behalf of the CTC to the Charity Commission.

9

SARAH ANNE LEES CHARITABLE TRUST

The Committee considered a report regarding commercially sensitive information in relation to requirements for a Spending Permanent Endowment in relation to a property in Oldham.

Reference was made to suggested resolution in relation to this item and in particular, the reference to 'Appropriate bodies or organisations providing assistance or services in keeping with the objects of the charity'. It was suggested that this wording should be amended to make specific reference to lifestyle activities such as teaching cookery and laundry instead of generalistic terms.

Resolved: that this item be deferred to enable the wording suggested in the resolution, i.e., 'Appropriate bodies or organisations providing assistance or services in keeping with the objects of the charity' to be reworded to include specific reference to lifestyle activities instead of the generalistic terms set out.



The meeting started at 6.00 pm and ended at 6.17 pm

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of the Local Government Act 1972.

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