

EMAIL 1

From: (Redacted)

Sent: 21 April 2022 16:09

To: (Redacted – Welsh Government official's e mail address)

Subject: FW: 20220420 - NJ/C-025874-B7N6 : MAINDY PARK : 524137 CRM:0223899

Hi

Please can you forward this to 21st century schools funding.

The Commission have confirmed that the Council have yet to consult in its capacity as trustee of the Maindy Park Charity.

Funding cannot be approved for the expansion of Cathays High until the Charity Commission have issued a ruling.

The Councils solicitor – Richard Crane has stated that the Council have yet to make a decision on the use of the charity land and will look to manage its conflict of interest.

To say we are bemused by this is an understatement.

The Council have already made a decision and its ability to manage its conflict of interest has long gone. We are currently in the process of advising Commission of said fact.

They made the 'official' decision at Cabinet on the 17/10/21 to build the new school accommodation on the Maindy site.

As the Cabinet have approved the decision to build a new school for Cathays on land held on trust under charitable covenant it effectively makes any resolution of a conflict of interest impossible while it remains as the sole trustee.

Further, when the Council launched a public consultation on providing a new school showing it built on the covenanted land it showed its hand in respect of the matter. It is, therefore, impossible for Cardiff Council to make a decision as the sole trustee in the best interests of the charity that so clearly and completely benefits the Council in its guise as the local authority education provider.

Many thanks: (Redacted)

Sent from [Mail](#) for Windows

E MAIL 2

From: CS - Correspondence1 <CSCorres1@charitycommission.gov.uk>

Sent: Wednesday, April 20, 2022 3:21:43 PM

To: (Redacted)

Subject: 20220420 - NJ/C-025874-B7N6 : MAINDY PARK : 524137 CRM:0223899

Dear: (Redacted)

Maindy Park

Thank you for your letter about the above charity. The Commission cannot comment on consultations carried out by the Council in its corporate capacity (as this is not for the Commission).

As we have explained, we have not yet received an application for consent in relation to any disposal of the above charity's land. This means that we cannot comment further at this time.

We can however confirm that we have provided the trustee with advice on the need to consider conflicts of interest and meet decision making duties (which would usually include consulting with beneficiaries and other interested parties so that they are properly informed and take account of relevant factors).

Yours sincerely,
From: (Redacted)

W: <https://www.gov.uk/charity-commission>



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