

Stewardship of Maindy Park trust (registered charity number 524137) by Cardiff Council
Issued: 21 June 2022

By: (Redacted)

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Serious concerns concerning the stewardship of Maindy Park trust by Cardiff Council

This document is being sent by email to the parties shown below, with the reasons given as follows:
Jo Stevens, MP Cardiff Central constituency – as charity law is not a devolved matter then this concern about a registered charity falls within her remit as my duly elected Parliamentary representative jo.stevens.mp@parliament.uk

Jenny Rathbone AM/SM Cardiff Central constituency – as local government is a devolved matter and the planned expansion of Cathays High School is seeking funding from the Welsh Government’s 21st Century Schools programme then this concern about my local authority falls within her remit as my duly elected constituency representative at the Senedd Jenny.Rathbone@senedd.wales

The following AM/SM who are my South Wales Central representatives for the same reason as that set out above for Jenny Rathbone AM/SM:

Rhys ab Owen AM/SM – and has had earlier communication with the Charity Commission on this Rhys.AbOwen@senedd.wales

Andrew R T Davies AM/SM AndrewRT.Davies@senedd.wales

Heledd Fychan AM/SM Heledd.Fychan@senedd.wales

Joel James AM/SM Joel.James@senedd.wales

Jeremy Miles AM/SM, Minister for Education & the Welsh Language, Welsh Government – as Cardiff Council is seeking funds from the 21st Century Schools programme for building a new high school on the covenanted land; and has received FoI requests in relation to my concerns Correspondence.Jeremy.Miles@gov.wales

Rebecca Evans AM/SM, Minister for Finance & Local Government, Welsh Government – as local government is a devolved matter and Cardiff Council receives significant sums from public money that comprises part of the budget of the Welsh Government Correspondence.Rebecca.Evans@gov.wales

Anne Reading, Head of Casework, Charity Commission – responsible for overseeing the concern raised previously by the Save Maindy campaign group in respect of the conflict of interest that appears to exist within Cardiff Council and has been in communication with Rhys ab Owen AS/MS parliamentaryenquiries@charitycommission.gov.uk

Rt Hon Nadine Dorries MP, Secretary of State, Digital, Culture, Media and Sport – as charity law is not a devolved matter then concern about a registered charity falls within the remit of the Secretary of State Dorriesn@parliament.uk

Rt Hon Simon Hart MP, Secretary of State for Wales – as charity law is not a devolved matter and this involves a charity operating in Wales then this falls within the remit of the Secretary of State Simon.hart.mp@parliament.uk

Personal information: (Redacted)

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It is from this understanding that alarm bells are ringing for me in respect of the proposed interconnected party transaction between Cardiff Council as the local authority body corporate with itself as a body corporate sole trustee of the registered charity.

For the avoidance of doubt, I have prepared this dossier in a personal capacity. I have no contractual relationship with the Save Maindy campaign and have not been commissioned to undertake any work on their behalf, either paid or on a pro bono basis. If it transpires there are any errors in fact or misunderstandings then the responsibility rests entirely with me.

Personal information:

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Secondly, I believe there is a wider responsibility on those working in the sector to help maintain and strengthen public trust and confidence in charities, and to signal to the appropriate authority/ies in the rare instances where concerns arise. It would be a great relief if these concerns set out below can be assuaged and information put in the public domain so that others sharing the concerns can be suitably reassured. Thank you.

From: (Redacted)

Address: (Redacted)

Background facts

1. Maindy Park is a registered charity and falls under the regulatory jurisdiction of the Charity Commission for England & Wales. Its registration number is 524137.
2. The County Council of the City and County of Cardiff is the sole trustee and acts as a body corporate in the matter.
3. The land at Maindy Park was gifted to the people of Cardiff by the Marquis of Bute in 1922.
4. Its use for recreation and leisure time use by all the people of Cardiff in perpetuity was set out in a covenant signed by authorised representatives of the Marquis and Cardiff Corporation (as it was known then).
5. The Trustee is responsible for upholding and protecting the use of the land in accordance with the legally binding stipulations in the covenant.
6. In 2021 Cardiff Council acting as the Local Education Authority issued Legal Notice under Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code (issued 29 June 2021 and expired 26 July 2021) to "Replace the Cathays High School buildings with new build accommodation on the Maindy Centre adjacent to Crown Way and North Road"
7. On 14 October 2021 the Cabinet of Cardiff Council in open meeting resolved to build a new school on the Maindy land and authorised its officers to apply Council resources to implement and execute this decision.
8. On 20 May 2022 Cardiff Council, stating that it was acting as Trustee of Maindy Park charity, published Legal Notice under Section 121 of the Charities Act 2011 of its plan to dispose of the land protected under covenant, described as "a land exchange".
9. Cabinet of Cardiff Council has announced they will determine the outcome of the proposed exchange as the body corporate Trustee on 14 July 2022.

Conflict of interest in Cardiff Council renders this proposal unsafe & it should be withdrawn with immediate effect while new governance arrangements are put in place to protect the Charity and its assets

There is a material conflict of interest in Cardiff Council requiring the land at Maindy Park, protected by a charitable covenant for only recreation and leisure time use for the people of Cardiff in perpetuity, to use for building a new high school in Cathays, and Cardiff Council as a body corporate being the sole trustee of Maindy Park charity and required under charity law to uphold and protect the covenant.

The surveyors report includes the following comment among its preamble:

“We understand that Cardiff Council hold the land as Charitable Trustees with the objective of the charity being to keep the land as public recreation ground. Cardiff Council as Local Education Authority (LEA) are proposing to redevelop the adjoining Cathays High School. The LEA would like the Trustees of the Charity to consider either selling the land to Cardiff Council or swapping the land for an appropriate alternative parcel of land that could still meet the Charity’s objective. The LEA would then utilise part of the subject land for the school redevelopment.” [Section 21. Instructions, pg 5]

Firstly, Cardiff Council has not provided any declaration or similar in information provided to the public that actually discloses that the two parties in the land exchange are one and the same body corporate.

Secondly, there is an absence of any documentation or evidence of how the conflict of interest has been managed from the outset, nor how it is currently being managed.

It does not matter whether these omissions are deliberate or an oversight, the effect is still the same: the lack of transparency renders it impossible for many members of the public and beneficiaries of the Charity to fully understand the inter-connected relationship between the parties and that, effectively, they are one and the same body corporate, and then to be able to use this information to help them assess the proposal, who it benefits and in what ways.

Despite many attempts to seek clarity from Cardiff Council as to how it understood its responsibility as a body corporate as sole trustee, it was only a week ago that an answer was provided in the following email extract from Paul Orders, Chief Executive of Cardiff Council, in response to a request for the Trustee or duly authorised representative to attend a public meeting called by the community as neither the Council or the local Ward Councillors were prepared to hold one:

“From: (Redacted)
Sent: Monday, June 13, 2022 4:12 PM
To: [name redacted]
Cc: CS - Correspondence1; parliamentaryenquiries@charitycommission.gov.uk; savemaindy cycletrack;
[name redacted – Cardiff Council employee#1]
Subject: RE: Maindy Park Charity Land - Public Meeting

Dear [name redacted]

Just to clarify: there are no individual trustees for the Maindy Park Trust. The Council as a corporate body is the sole trustee. Decisions relating to the charity will be made by the Council’s Cabinet, who when meeting will be required to have regard to Trust, and not local authority matters. ... “

This is the same Council Cabinet which has placed as an official record of its proceedings and decisions that, on 14 October 2021, listed as Agenda Item 3 that it would:

“Replace the Cathays High School buildings with new build accommodation on the Maindy Centre site adjacent to Crown Way and North Road”

It also recorded as a “Resolved” decision that:

“(v) Authority be delegated to the Director of Education & Lifelong Learning (in consultation with the Cabinet Members for Education, Employment & Skills and Finance, Modernisation & Performance, the Director of Governance and Legal Services, the Director of Economic Development and the Corporate Director for Resources) to determine all aspects of the procurement process (including for the avoidance of doubt development of all procurement documentation and selection and award criteria, commencement of procurement through to award of contracts) for the new build schools”

<https://cardiff.moderngov.co.uk/ieDecisionDetails.aspx?AllId=25716&LLL=0>

While it was noted that Charity Commission consent would be required in relation to the land held on trust there does not appear to be an explanation or note that records that the Cabinet and the officers of the Council and all Council employees, being bound by the decision to build on the land, were now conflicted and therefore unable to act on this matter with regard to the Trust matters.

In particular, attention is drawn to the specific direction in the Resolved decision that the Director of Governance and Legal Services and the Director of Economic Development were required to work to the delegated authority given to the Director of Education & Lifelong Learning to deliver the education decision. Only just this past 7 or so days have we been able to establish that it is these Departments of the Council that have been leading on the Trust proposal because of their separation from the Education Department [my highlighting of the relevant sentence] “ From: [name redacted – Cardiff Council employee#1] Date: Fri, Jun 10, 2022 at 4:40 PM Subject: RE: Failure to Comply with Notice in the Western Mail Pertaining to the Maindy Park Trust Charity To: savemaindy cycletrack Cc: Orders, Paul Dear [name redacted] Thank you for your email of the 3rd of June, the contents of which are noted. I will be pass the same to colleagues arranging the consultation. In terms of your query on what will happen after the consultation, I would anticipate that officers will need to collate and review those responses with a view to including these in report for consideration by the Council. As Trustee, the Council will need to have regard to those views together with any advice provided to it in its capacity as a trustee before reaching a decision. You have also raised an issue as to conflicts of interests. The Council is mindful of that, and the consultation has been run by Estates colleagues on behalf of the charity, not Education colleagues who are promoting the school expansion. I would further add that it is a requirement that a charity trustee seeks an order from the Charity Commission concerning any land transactions made to a trustee in a personal capacity. Any decision by the Trustee with regard to this proposal will therefore need to be reviewed by the Commission in detail. As part of that process the Commission will need to be satisfied that the Council has dealt with conflicts of interests, before it would be willing to make such an order. Yours sincerely [name redacted – Cardiff Council employee#1] [position redacted] “ This does not accord with the correct understanding of being a sole trustee as a body corporate that Paul Orders correctly set out [email of 13 June 2022, above]. It is not possible for one part of the Council to be considered separate and independent in the matter. Therefore, it stretches credulity that there is a lack of – or poor – understanding of the legal duty required of the Trustee, or that there is a failure to recognise that the Council having made a determination related to its purposes as the Local Education Authority to build on land that is protected from such building in perpetuity is conflicted and there appears to be no route for this to resolved while it continues to act alone as the sole Trustee. Even if it tried to manufacture a retrospective Trustee body formed of individual Councillors then these people are already conflicted from having been party in Cabinet to the decision

One of the routes to manage such conflicts recommended by the Charity Commission in such circumstances is to appoint additional, genuinely independent trustees and that the conflicted Trustee remove themselves entirely from any consideration of the matter and do not participate directly or indirectly in any decision that may be required. The Charity Commission in its guidance to the Council on this issue has, I believe, drawn the Council’s attention to this route. The Save Maindy campaign group has also asked the Council on several occasions to recuse themselves and appoint independent trustees; or to set out what has been done to properly manage this conflict so that there can be transparency and public trust in any decision(s) that were then made. The Council has failed to do either of these things and risks damaging public trust and confidence in charities and risks reputational damage as the flagship council of Wales. In its letter to Rhys ab Owen AM/SM (dated 26 April 2022) the Charity Commission intimated that the Council had not, as of that date, provided such information to them that was evidenced through the decision-making records of the

Trustee. Further, the Charity Commission specifically set out that the Commission would need to be satisfied that the proposal was expedient and in the interest of the charity. The appearance of the legal notice on 20 May 2022 in the Western Mail purporting to be a land transfer proposal that complies with Section 121 of the Charities Act 2011 is, therefore, deeply concerning. Given the above, it could be construed as an attempt to mislead the beneficiaries and, if the Council were to attempt to portray it to the Charity Commission as the action of a separate and independent part of the Council, then it could be further constituted as a deliberate attempt to mislead the regulator whose consent on the matter was being sought. Perhaps, somewhere in among the documents that have not been released and which, as of 26 April 2022, it appears have not been provided to the Charity Commission either, Cardiff Council has such evidence as to be able to satisfy concern regarding the conflict of interest. In which case it is in the public interest that it is now provided to the beneficiaries before any decision is made in respect of the proposal. However, even if such records and evidence were produced there are several specific concerns around the proposal itself. No evidence has been provided that the proposed transaction and the purpose of it meets the exceptional circumstance required to dispense with Charity Commission guidance in the trustee handbook for local authorities. In the document entitled "Local authorities as charity trustees" issued by the Charity Commission it sets out clearly: "However, a charity cannot generally transfer its property to a non-charitable body or for a noncharitable purpose – eg charity land could not be transferred to a local authority to form part of its statutory property, even if it were to be used for purposes similar to those formerly undertaken by the charity." [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/352409/Local_authorities_as_charity_trustees.pdf]

In the valuation report from the surveyor it is clear from the Instruction received [referred to above] that the land at Maindy Park would become part of the estate of the local authority and be used to fulfil its statutory purpose of providing educational facilities. The Cabinet decision of 14 October 2022 also makes clear that the new high school built on the Maindy Park land shall form part of the estate and be used for educational purposes. The proposal for the Charity to transfer its property to the Council (a non-charitable body) and, as per the example given, transfer land to a local authority to form part of its statutory property would "generally" not be permitted. No evidence has been placed in the public domain to explain the grounds on which the Trustee is relying to show compliance with this guidance. There is insufficient information and time for people to reach a full and informed view. With regard to the proposal itself, there is insufficient information provided by the Trustee to assess fully whether or not this proposal would benefit the Charity's beneficiaries. In addition, it was not until day 8 of the 31 days provided for in the Notice that even this limited information was made available to the public, thereby reducing by over one-quarter the time. It is a great pity that, having been alerted very promptly by me to this absence of the information by me and my reasonable suggestion that the period be extended, that this was not acted upon. It may be, therefore, for these reasons alone there may be sufficient grounds for a legal challenge to have the validity of the Notice issued on 20 May 2022 set aside. The proposal should, therefore, be withdrawn until such time as the Trustee is able to put full and relevant information in the public domain and will consult genuinely and openly with the beneficiaries and allow sufficient time for this to take place. In the absence of any indication from you that this will happen, my response – based on the limited information supplied – is that it appears to be to the detriment of the beneficiaries. The reasons are set out as follows. It is outside the charitable purpose of the Charity. The "Governing document" information provided under the register of charities by the Charity Commission sets out the following "Charitable objects" for the Charity: "RECREATION OR OTHER LEISURE-TIME OCCUPATION FOR THE BENEFIT OF THE INHABITANTS OF THE CITY OF CARDIFF WITH THE OBJECT OF IMPROVING THE CONDITIONS OF LIFE FOR THOSE INHABITANTS." As referred to earlier, the only information in the public domain records that the only purpose for the land agreed by Cabinet (14 October 2021, Agenda Item 3) and was in the Notice issued under Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code (issued 29 June 2021 and expired 26 July 2021) is to: "Replace the Cathays High School buildings with new build accommodation on the Maindy Centre adjacent to Crown Way and North Road" The promotion of education is not within the Charity's Objects. Therefore, to use the Charity's assets in any way whatsoever that supports the education requirements of the Council, irrespective of how Stewardship of Maindy Park trust (registered charity number 524137) by Cardiff Council Issued: 21 June 2022 by: (Redacted) Page 8 of 12 worthy the Council's educational plans may be, is not within its Objects and is, therefore, incompatible with Charity law. The guide issued by the Charity

Commission [“The essential trustee: what you need to know, what you need to do”] sets out very clearly: “5. Comply with your charity’s governing document and the law You and your co-trustees must: • make sure that the charity complies with its governing document • comply with charity law requirements and other laws that apply to your charity” [page 14] As the Inquiry reports published by the Charity Commission show, any Charity which it finds has acted outside its charitable purpose – irrespective of how well-meaning the intention – is a serious failure on the part of the Trustee/s and may lead to them being held liable for financial restitution. The limited information supplied by the Trustee does not set out any explanation of why it considers that supporting Cardiff Council in its body corporate role as Local Education Authority providing a new high school is actually within the Charity’s Objectives above. For this reason alone, there may be sufficient grounds for a legal challenge to have the validity of the Notice issued on 20 May 2022 and any subsequent decisions or actions arising from it to execute the proposal set aside. It is at variance with the charitable purpose of the Charity As set out above, Cardiff Council has completed the legal process under Section 42 of the School Standards and Organisation (Wales) Act 2013 and the School Organisation Code and Cabinet (on 14 October 2021) which shows that its use of the land would be for education purposes. Therefore, if executed, the proposed land exchange would result in a net loss of open, accessible space for available for “recreation or other leisure-time occupation for the benefit of the inhabitants of the city of Cardiff with the object of improving the conditions of life for those inhabitants” and it cannot therefore be considered to be compatible with the Charity’s Objects. Furthermore, the 2 parcels of land proposed for the land swap by Cardiff Council are already open space for the public to use. Therefore, there is no gain to the beneficiaries, only a net loss. Cardiff Civic Society has also iterated this fact: “Firstly, the proposed replacement land is parkland the citizens of Cardiff already have access to. The land exchange will effectively mean a net loss of public open space. Cardiff already has less green space per capita than other UK cities of a similar size, therefore we cannot afford to lose more.” For this reason alone, there may be sufficient grounds for a legal challenge to have the validity of the Notice issued on 20 May 2022 and any subsequent decisions or actions arising from it to execute the proposal set aside. Where did the money come from to instruct and pay for land valuations? If the matter is either outside or at variance with the charitable purpose of the Charity then any and all expenditure Stewardship of Maindy Park trust (registered charity number 524137) by Cardiff Council Issued: 21 June 2022 by Jeremy Sparkes Page 9 of 12 incurred by the Charity in relation to the matter, for example, a surveyor’s report should be recovered from the Trustee as it has used charitable funds for a purpose which is not allowed under charity law The financial overview for the Charity provided on the Charity Commission website shows little or no income over the past 5 years, and the position is unlikely to have improved during lockdowns. Unless the Charity holds significant reserves, it is unclear how it has been able to pay for the professional valuation services provided. If reserves were used then as explained below, there is legitimate query on whether this is permitted expenditure. If, however, the surveyor’s fee was paid by the Council, either directly or through topping up the Charity’s account, then this creates another point of conflict of interest as to whether this creates an obligation on the part of the Trustee, particularly if the exchange is found to be outside or at variance with the Charity’s objects. A Charity may only expend resources of whatever description in pursuit of its own charitable purpose and if it expends resources on any other purpose then the Charity Commission as regulator can require the Trustee to make good this outlay. So-called “need for additional protection” for land at Bute Park and Caedelyn is unproven and it is only Maindy Park land that is under threat of being lost to the people for use for recreation/leisure without restriction in perpetuity Despite a request made to official Cardiff Council social media channels and also flagged to the Cabinet member responsible for Parks concerning why there was a need for additional protection for these 2 areas proposed for the land swap, as of today’s date no answer has been received. It appears that there is no information that could support or refute the intimation by Cardiff Council that without the land swap being effected either or both of these areas would be in a clear and present danger. Indeed, on 20 May 2022 Cardiff Council announced that a new community orchard would be planted in a significant part of the land at Bute Park, at the far end of the north section of Blackweir. It would beggar belief that public funds would be spent on such a long-term activity if Cardiff Council already knew of a real threat to this area. The limited information supplied by the Trustee does not set out any explanation of why it considers unsubstantiated threats to these 2 parcels of land to be greater than the real and publicly documented threat posed by Cardiff Council’s intention (as referenced earlier) to build a new school on the land at Maindy Park, thus being lost to unrestricted public use for recreation/leisure. Furthermore, as Cardiff Civic Society has pointed out: “The council needs to be mindful that the city’s Historic Parks and Gardens now have statutory protection.” It stretches credibility that the flagship Council in Wales, the local authority for the capital city, is unaware of what statutory powers

are available for it to use should an area in the north of Bute Park in the area known as Blackweir be threatened. For this reason alone, there may be sufficient grounds for a legal challenge to have the validity of the Notice issued on 20 May 2022 and any subsequent decisions or actions arising from it to execute the proposal set aside.

Alternative methods of providing “additional protection” are readily available to Cardiff Council – it does not require anything from the Charity. If such threats were to emerge Cardiff Council has at least 3 other methods of securing “additional protection”. Firstly, if it believes that a covenant can provide such protection then it has the legal power to create one. It requires no transfer of a covenant from one area to another. Secondly, Cardiff Council already has a well-established relationship with Fields in Trust, registered charity number 306070, whose Charitable Objects are: “To provide and maintain and to promote and assist in the provision and maintenance of playing fields, recreation grounds, playgrounds, open spaces and other facilities for play and recreation for the benefit both of the community at large and of persons who by reason of their youth, age infirmity, disablement, poverty or social and economic circumstances have special need of such facilities, with a view to improving their conditions of life” There is no need, therefore, for the Trustee to need to consider whether the Maindy Park charity could/should consider supporting the Council in respect of other areas of Cardiff and surrendering the covenanted protection of Maindy Park as there is already in existence a charity whose purpose matches exactly what the Council claims is needed to provide “additional protection”. Thirdly, there are a number of groups, organisations and people in Cardiff ready and willing to look after these areas if the Council is no longer able to do so. On 3 June 2022 Cardiff Council issued a Legal Notice in respect of disposal of land at Hailey Park which will be leased to a local rugby club. I wrote on 12 June 2022 as follows to the Cabinet member responsible for Parks, based upon my professional experience of working in the voluntary and not-for-profit sector for 25 years, the last 20 of which I have been living in Cardiff: “Through my work and contacts in and around the community, I have become aware of at least 1 local group which would welcome the opportunity to discuss the feasibility of such a transfer in relation to one of the areas referred to by the Leader of the Council as needing additional protection. As I understand it, their aims are consistent with the need to preserve the current status of the land and to help safeguard the same degree of public access and use that is enjoyed at present. My work contacts suggest there are likely to be others who would welcome a similar opportunity. I should be grateful, therefore, for your written confirmation by return that the Council welcomes, will engage actively and in good faith with, and support any and all groups and organisations whose aims and purposes would help sustain and maintain these areas identified as needing additional protection.” To date, I have not received a reply to my enquiry. The real value of the land if the covenant is removed is considerably more – c. £5m – than the sole valuation of £215,000 published by the Council. Therefore, a swap on the basis of the valuation(s) provided would deprive the Charity of huge asset value once the covenant protection is removed. The limited and incomplete information given in the proposal suggests that the survey commissioned was to value the land parcels on a like-for-like basis, as protected open spaces.

However, were the covenant protecting Maindy Park be removed and the land title be transferred to Cardiff Council this space is then available for a variety of uses and development. The underlying basis for the valuation is incorrect. As the stated aim of the Council as the Local Authority is to remove the covenanted restriction from the land, a valuation needs to be prepared on the basis that the land is available for development. Within the past few weeks a plot of land for housing adjacent to Maindy Park (on Gelligaer Street) was advertised at £125,000 and was sold subject to contract within only a few days. Even if the agreed sale price was only half of the figure that it was offered at, the land at Maindy Park with the covenant removed could be worth c. £5m; If the Trustee agreed to a land swap based on the survey valuation with the removal of the covenanted restriction on Maindy Park, either now or later, the Charity stands to lose an asset worth several tens of millions of pounds. At the very least, a second opinion/valuation based on current market activity and with the removal restrictions factored should be obtained by the Trustee to ensure that the Charity and its beneficiaries are not being deprived of an asset at a fraction of what could be its open market value – Cardiff Council is offering alternative land with restrictions valued at around £1/4m in return for land with its covenant removed that could be worth millions of pounds. If any or all of the above concerns are shared and cannot be satisfied the following actions are proposed 1. Charity Commission engages with Cardiff Council as the body corporate acting as sole Trustee and requests that the Legal Notice and any actions the Trustee is preparing as a result of this Notice are

suspended with immediate effect. 2. That this is communicated to the beneficiaries without delay. 3. Charity Commission registers an interest with the Land Registry office such that title to the land at Maindy Park may not be transferred and/or sold without prior notification of this to the Commission. 4. Charity Commission to consider whether the threshold has been reached to open a statutory inquiry. If it is uncertain whether the threshold is reached, Charity Commission to engage with beneficiaries to help them understand what will be done to safeguard the assets of the Charity and that beneficiaries will be given full information about proposals together with sufficient time and appropriate support to ask legitimate questions, understand the impact, and reach an informed view. 5. Charity Commission to notify Cardiff Council as Trustee whether an adverse report notification should be filed by the Trustee in respect of the potential value of the land being far in excess of the single valuation obtained so far. 6. Welsh Government engages with the Public Sector Ombudsman for Wales to establish whether the conduct of Cardiff Council as the local authority and/or the conduct of any individuals either elected representatives or officers falls within the remit of the Ombudsman to investigate. 7. Welsh Government to work jointly with the Welsh Local Government Association to identify needs for training provision and/or additional guidance for local authorities across Wales to enable them Stewardship of Maindy Park trust (registered charity number 524137) to understand the full extent of their duties when acting as a Trustee in general and in managing conflicts of interest in particular. 8. Wales Council for Voluntary Action or Cardiff Third Sector Council or any similar body be asked to work with the beneficiaries of the Charity and Cardiff Council as a body corporate acting as sole Trustee to review existing governance and guide/support them to develop and adopt a new model that will enable the Charity to manage effectively conflicts of interest both now and in the future, and provides a suitable mechanism for beneficiaries to contribute to the future strategy and direction of the Charity.

– ENDS –