



My Ref: FOI/5956
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

1. Trustee Governance Structure

Please provide:

1.1. The current organisational structure showing which department(s) and officer(s) are responsible for administering charitable trusts for which BMBC is the sole corporate trustee.

There is no formal structure specifically for charitable trust administration, in practice legal, financial and governance processes for the Council, and any trusts where the Council is trustee, is undertaken by the Core Services Directorate.

1.2. The job titles (not personal data) of officers with delegated responsibility for:

- **Trustee decision-making**

For Charities where the Council is trustee, decision making was, until 31 March, 2026 the responsibility of Full Council, Full details of all Councillors can be found on the Barnsley Council website. Subsequently this was delegated to Cabinet, and details of Councillors appointed to Cabinet can be found on the Barnsley Council website.

- **Governance support**

- **Legal compliance for charitable trusts**

For legal compliance and governance support, the responsibility for the above remains that of the Council as trustee, and Cabinet acting in this capacity more latterly. However, support is provided through the Core Services directorate as mentioned above.

1.3. Any internal guidance, policies, or frameworks used by BMBC to manage charitable trust land.

No formal guidance, policies or frameworks are held. Any guidance would be provided on an ad-hoc basis as required.

2. Trustee Meetings and Decision-Making

Please provide:

2.1. The schedule of trustee meetings (past 5 years) relating to charitable trusts administered by BMBC.

As mentioned above, until 31 March 2026 Full Council had the responsibility for trusts where the Council was sole trustee. All agenda and minutes of Full Council for the past 5 years are available on the Council website. Now this responsibility has been delegated to Cabinet, all agenda and minutes will be available on the Council website.

2.2. Copies of agendas, minutes, or decision records where the Silkstone Common Miners Welfare Recreation Ground has been discussed (redacted for personal data if necessary).

As above any formal decisions relating to trusts are available on the council website.

2.3. The formal process by which BMBC, acting as trustee, considers:

- **Lease requests**
- **Disposals**
- **Changes of use**
- **Requests from community bodies**

Requests to dispose of or grant tenancies of land and property held in trust are considered in line with the council's Community Asset Transfer Policy having regard to the decision making process outlined above. The Community Asset Transfer Policy is available on the Council's website.

3. Delegations and Legal Basis

Please provide:

3.1. The scheme of delegation setting out how BMBC exercises its trustee functions.

There is no delegation in place, formal responsibility lay with Full Council until 31 March 2026 and now with Cabinet having delegated responsibility.

3.2. Any legal advice, internal or external, relating to BMBC's obligations under the 1996 Scheme (with personal data and privileged content redacted as required).

This information is exempt under Section 42 of the Freedom of Information Act 2000 as it carries legal professional privilege.

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3.3. Any Charity Commission correspondence relating to this trust since 2010.

The Council does not hold any direct correspondence with the Charity Commission on this matter.

4. Handling of Lease Requests

Please provide:

4.1. A list of all officers and departments who have handled or been assigned to the CIO's lease request since 2017 (job titles only).

List is attached.

4.2. Any internal emails, memos, or notes that explain why the matter has been passed between multiple officers. Ensure all legal advice, personal data and commercially sensitive data is not disclosed.

No specific correspondence is held however a number of officers have been involved due to a combination of usual reporting arrangements within the service and staff turnover. It should be noted that some roles have had multiple job titles during the subject period.

4.3. Any recorded reasons for delays or failure to progress the CIO's lease request.

Strategic Property Board meeting minute 12th September 2024 is attached.

5. Asset Classification and Management

Please provide:

5.1. Confirmation of whether BMBC classifies the recreation ground as:

5.2. Any asset management plans, valuation reports, or property records relating to the recreation ground.

5.3. Any documentation showing how BMBC distinguishes between its local authority functions and its trustee functions for this asset

The council holds the freehold of the land which is held in trust under the 1996 scheme.

The extract from Corporate Property Register is attached.

If you have any queries about this letter, please contact Information Requests Via email.

Please remember to quote the reference number above in any future communications.

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If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

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