



NOTTINGHAM CITY COUNCIL
TRUSTS AND CHARITIES COMMITTEE

Date: Friday, 25 November 2016

Time: 2.00 pm

Place: LB 31 - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Governance Officer: Catherine Ziane-Pryor **Direct Dial:** 0115 876 4298

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTERESTS

3 MINUTES

- | | | |
|----------|---|-------|
| a | Of the meeting held on 16 September 2016 (for confirmation) | 3 - 6 |
| b | Of the meeting held on 28 October 2016 (for confirmation) | 7 - 8 |

4	BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE AND PROPOSALS	9 - 12
	Report of the Director of Strategic Assets and Property	

5 EXCLUSION OF THE PUBLIC

To consider excluding the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6	EXEMPT MINUTE	13 - 16
	Of the meeting held on 28 October 2016 (for confirmation)	

7	BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE AND PROPOSALS - EXEMPT APPENDIX
	To follow.

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

NOTTINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE

MINUTES of the meeting held at Loxley House, Station Street, Nottingham NG2 3NG on 16 September 2016 from 14:00 to 14:41

Membership

Present

Councillor John Hartshorne (Chair)
Councillor Glyn Jenkins (Vice Chair)
Councillor Liaqat Ali
Councillor Carole-Ann Jones
Councillor Anne Peach
Councillor Steve Young
Councillor Toby Neal

Absent

Councillor David Smith
Councillor Andrew Rule

Colleagues, partners and others in attendance:

Connie Green	- Solicitor
Eddie Curry	- Head of Parks, Open Spaces and Investment Funding
Tom Straw	- Finance Manager (Capital)
Bevis Mackie	- Senior Estates Surveyor
Noel McMenamin	- Governance Officer

18 APOLOGIES FOR ABSENCE

Councillor Andrew Rule (leave)
Councillor David Smith (unwell)

19 DECLARATIONS OF INTERESTS

None.

20 MINUTES

Subject to removing the double-reference to Apologies for Absence, the minutes of the meeting held on 29 July 2016 were confirmed as a true record and signed by the Chair.

21 HARVEY HADDEN STADIUM TRUST AND HIGHFIELDS PARK TRUST ANNUAL REPORT AND STATEMENT OF ACCOUNTS 2015/16

Tom Straw, Finance Manager (Capital), presented the report which details the annual reports and financial statements for the Harvey Hadden Stadium Trust and Highfields Leisure Trust for the Committee's review and approval.

Mr Straw explained that the reduction in revenue in 2014/15 reflected the period when the Harvey Hadden Stadium site had been shut for major refurbishment. The investment has seen significantly increased revenue income since its re-opening.

The Committee welcomed the report and approved the recommendations.

RESOLVED to

- (1) approve the Highfields Leisure park trust annual report and financial statements for the financial year at Appendix 1 to the report;**
- (2) approve the Harvey Hadden Stadium Trust annual report and financial statements for the financial year 2015/16 at Appendix 2 to the report;**
- (3) delegate authority of the signing of the Highfields/Harvey Hadden accounts to the Committee Chair, once the Independent Examiner's report is received.**

22 LEASE OF LAND AT HIGHFIELDS LEISURE PARK

Eddie Curry, Head of Parks and Open Spaces and Investment Funding, presented the report of the Director of Strategic Assets and Property, which looked to formalise leasing arrangements for an area of football pitches within Highfields Park to the football club which predominantly use them.

Mr Curry explained that Wollaton Football Club was a long-established and thriving junior football club which has played all their games on the site by way of a hire agreement since 2012. Formalising a leasing arrangement would enable the club to access funding from the Football Foundation and consolidate the club's position within the local community. The proposed arrangement also secured guaranteed annual revenue for the Trust, reduced annual expenditure on upkeep, and did not impact on other usage, for example overspill parking for the Nottingham Open tennis tournament.

The Committee supported the proposals.

RESOLVED to

- (1) approve the grant of a 50-year lease to the trustees of Wollaton Football Club for an area of land at Highfields Leisure Park as per the terms set out in the exempt appendix to the report;**
- (2) delegate authority to the Director of Strategic Assets and Property to approve any amendments or alterations to the terms of the lease, on the proviso that the principle of the decision does not materially change.**

23 BRIDGE ESTATE ANNUAL REPORT 2015/16

Tom Straw, Finance Manager (Capital), presented the report which details the annual report and financial statement for the Bridge Estate for the Committee's review and approval. Mr Straw highlighted the following:

- (a) there was no significant variation to the final accounts from the draft out-turns previously considered by the Committee;**

- (b) The Bridge Estate is in a position to contribute £1,585,972 to Nottingham City Council for the improvement of the City of Nottingham and the public benefit of its inhabitants.

The Committee raised the following points in discussion:

- (c) In response to a query on software costs, Mr Straw explained that these referred to charges from East Midlands Shared Services for using its accounts payable and accounts receivable facility;
- (d) While Nottingham City Council's general accounts were approved by Audit Committee, which had met earlier that day, it was appropriate to agree approval of the Bridge Estate contribution after that meeting as long as decisions and accounts were aligned and signed off by end September 2016.

RESOLVED

- (1) to approve the Bridge Estate Annual Report for the financial year 2015/16 at Appendix 1 to the report;**
- (2) that the Bridge Estate makes a financial contribution of £1,585,972 to the City Council for pursuance of the Charity's objectives;**
- (3) that the Letter of Representation included within the Audit Highlights Memorandum at Appendix 2 to the report be approved.**

24 BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE

Bevis Mackie, Senior Estates Surveyor introduced the report of the Interim Director of Strategic Asset and Property Management, which updated the Committee on the Bridge Estate Property Portfolio.

The following points were highlighted;

- (a) a new lease has provisionally been agreed for the former EME Office Block premises at Woolsthorpe Depot;
- (b) terms for granting a lease for 34 Lister Gate to Genus UK have provisionally been agreed. A schedule of dilapidations has been prepared and will be served on the previous tenant;
- (c) negotiations to reach a settlement with the former tenant of First Floor, Century House, 8-18 Chapel House, are ongoing. Term have been agreed with Robin Hood energy for the grant of a lease for the premises;
- (d) reconstruction of Units 22-24 Whitemoor Court is expected to be completed during October 2016 with interest expressed from a potential new tenant;
- (e) the liquidators of JMD Textiles has disclaimed the company's lease in respect of 140 Vernon Road;

- (f) the opportunity has arisen to add 36-48 Main Street, Bulwell to the Bridge Estate property investment portfolio.

RESOLVED to note the report.

25 36-48 MAIN STREET BULWELL

Bevis Mackie, Senior Estates Surveyor, presented the report which seeks approval to acquire the freehold interest in 36-48 Main Street, Bulwell, Nottingham, NG6 8EW.

The property is let to Wilkinson Hardware Stores Limited on lease until August 2024, and the acquisition would add significant secure income and serve to spread portfolio risk.

RESOLVED to approve the purchase of the freehold interest in 36-48 Main Street, Bulwell, Nottingham NG6 8EW on the terms set out within the report and the exempt appendix.

26 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs in the public interest in disclosing the information.

27 BRIDGE ESTATE PORTFOLIO UPDATE - EXEMPT APPENDIX

RESOLVED to note the update of legal issues regarding Whitemoor Court.

28 LEASE OF LAND AT HIGHFIELDS LEISURE PARK - EXEMPT APPENDIX

RESOLVED to approve the proposed terms granting a new lease to Wollaton Football Club as detailed in the Exempt Appendix.

29 36-48 MAIN STREET, BULWELL

RESOLVED to approve the recommendations for the purchase of 36-48 Main Street, Bulwell as detailed in the Exempt Appendix.

NOTTINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE

MINUTES of the meeting held in the Ground Floor Committee Room at Loxley House, Station Street, Nottingham, NG2 3NG on 28 October 2016 from 14.02 - 15.03

Membership

Present

Councillor John Hartshorne (Chair)
Councillor Liaqat Ali
Councillor Carole-Ann Jones
Councillor Anne Peach
Councillor Steve Young

Absent

Councillor Glyn Jenkins
Councillor Toby Neal
Councillor David Smith
Councillor Andrew Rule

Colleagues, partners and others in attendance:

Malcolm Townroe	- Head of Legal Services
Bevis Mackie	- Senior Estates Surveyor
Thomas Straw	- Finance Manager (Capital)
Catherine Ziane-Pryor	- Governance Officer

30 APOLOGIES FOR ABSENCE

Councillor Glyn Jenkins – health issues
Councillor Toby Neal – other Council business
Councillor Andrew Rule – leave
Councillor Dave Smith – health issues

31 DECLARATIONS OF INTERESTS

None.

32 NEW LEASE - 34 LISTER GATE, NOTTINGHAM

Bevis Mackie, Senior Estates Surveyor introduced the report of the Director of Strategic Asset and Property Management, which informed the Committee that, further to the approval by the Committee of the proposed terms and price at the meeting on 29 July 2016, the prospective tenant has since proposed a revised and reduced offer. Following negotiations, the proposed terms of the new lease are provided within the exempt appendix to the report.

RESOLVED to note the report.

33 36-48 MAIN STREET, BULWELL, NOTTINGHAM, NG6 8EW

Further to the Committee's approval to purchase the freehold interest in 36-48 Main Street, Bulwell, Nottingham, NG6 8EW at the 16 September 2016 meeting, Bevis Mackie, Senior Estates Surveyor, updated the Committee on the status of due diligence reports including valuation report and building survey both of which will be made available imminently.

A further report or update will be submitted to the Committee once all necessary information is available.

RESOLVED to note the update.

**34 LEASE RENEWAL - PART OF BUILDING NO. 3, AND BUILDING NO. 7,
WOOLSTHORPE DEPOT, BILBOROUGH NOTTINGHAM**

Bevis Mackie, Senior Estates Surveyor, presented the report which informs the Committee that 'Homeserve PLC' has requested to increase their rented space to include an additional unit due to the expansion of the business.

If expansion is not possible at this site then the business would need to move location.

The report recommends the granting of a new lease.

RESOLVED to approve terms for the granting of a new lease to Homeserve PLC as detailed in the exempt Appendix.

35 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs in the public interest in disclosing the information.

36 NEW LEASE - 34 LISTER GATE, NOTTINGHAM - EXEMPT APPENDIX

Bevis Mackie, Senior Estates Surveyor, presented the exempt appendix to the report of the Director of Strategic Asset and Property Management.

RESOLVED to approve the recommendations set out in the report and added to at the meeting.

Trusts and Charities Committee
25th November 2016

Title of paper:	Bridge Estate Property Portfolio Update	
Director(s)/ Corporate Director(s):	Kevin Shutter, Director of Strategic Assets and Property	Wards affected: Bridge, Basford, Bilborough & Leen Valley
Report author(s) and contact details:	Bevis Mackie - Senior Estates Surveyor 0115 876 3635 Bevis. Mackie@nottinghamcity.gov.uk	
Other colleagues who have provided input:		
Date of consultation with Portfolio Holder(s) (if relevant)	n/a	
Relevant Council Plan Key Theme:		
Strategic Regeneration and Development		<input checked="" type="checkbox"/>
Schools		<input type="checkbox"/>
Planning and Housing		<input type="checkbox"/>
Community Services		<input type="checkbox"/>
Energy, Sustainability and Customer		<input type="checkbox"/>
Jobs, Growth and Transport		<input type="checkbox"/>
Adults, Health and Community Sector		<input type="checkbox"/>
Children, Early Intervention and Early Years		<input type="checkbox"/>
Leisure and Culture		<input type="checkbox"/>
Resources and Neighbourhood Regeneration		<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):		
The report sets out the key property events that have taken place or are proposed for the Bridge Estate since the date of the last meeting.		
Recommendation(s):		
1	The Committee notes the contents of this report	
2	The Committee consider for approval the recommendations set out within the exempt Appendix.	

1 UPDATE

Former EME Office Block premises, Woolsthorpe Depot, Woolsthorpe Close

Completion with respect to the granting of a new lease to the tenant E.ON UK Plc is expected to take effect later this month.

Part of Building No. 3 and Building 7 Woolsthorpe Depot, Woolsthorpe Close

Further to the Committee's instructions as provided at the meeting of 28th October, solicitors have been instructed with respect to the grant of a new lease to HomeServe Membership Ltd with the mutual intention that completion takes effect as soon as possible.

34 Lister Gate

In accordance with instructions as provided by the Committee at the meeting of 28th October, we are presently reviewing proposals from prospective tenants to establish whether improved lease terms may be achieved with respect to granting a new lease for these premises. In the meantime, a short-term letting to Winter Wonderland is to be put into effect whilst discussions for lease progress with other prospective tenants.

An update with respect to proposals for lease is provided within the exempt appendix to this report, the contents of which are to be noted by the Trustees.

With respect to the former tenant's occupation, a schedule of dilapidations has been served on the Poundland and will continue to be progressed accordingly.

First Floor, Century House, 8-18 Chapel Bar,

A cash settlement figure has been agreed with the former tenant (Randstad Employment Bureau Ltd) in settlement of various breaches of covenant by the tenant as identified under the schedule of dilapidations. Monies received under this settlement have been used to make good defects as necessary in order to re-let these premises.

The lease to Robin Hood Energy has completed with the agreement having commenced at 25th October 2016.

Units 22-24 Whitemoor Court

The reconstruction and repair of these premises were completed by the building contractor G F Tomlinson last month.

Terms for the grant of a lease for these premises to a prospective tenant are as shown detailed within the exempt appendix.

A further update will be provided by legal services regarding the status of legal proceedings in respect of 23 Whitemoor Court.

140 Vernon Road

The joint liquidators of the Company 'JMD Textiles Limited' (formerly the tenant of these premises) have disclaimed the company's lease held in respect of these premises. During the term of its occupation, the tenant proceeded to sub-let various parts of the premises, copy agreements for which have now been received. The position must therefore be

reviewed in order to protect the Charity's position, further advice will therefore be presented for the committee's consideration under a separate Exempt Appendix to be added to this report.

36-48 Main Street, Bulwell,

The acquisition of this property is subject to the undertaking of various due diligence checks including obtaining a valuation report and building condition survey. Further to the receipt of preliminary advice on this matter, recommendations are to be provided within a separate Exempt Appendix to follow.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 Not applicable

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Not applicable as the report is for information only

4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

4.1 Not applicable

5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

5.1 None.

6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)

6.1 Not applicable

7 EQUALITY IMPACT ASSESSMENT

7.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

In accordance with Sections A and B under Guidance Note – carrying out equality impact assessment (EIA) 2.11.11 as it does not involve change of policy, services or functions and some aspects for information only.

**8 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR
THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

8.1 None

9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

9.1 None

Document is Restricted

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