

# NOTTINGHAM CITY COUNCIL

## TRUSTS AND CHARITIES COMMITTEE

**MINUTES of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 21 July 2017 from 2.02 pm - 4.36 pm**

### **Membership**

#### Present

Councillor John Hartshorne (Chair)  
Councillor Liaqat Ali (Vice Chair)  
Councillor Carole-Ann Jones  
Councillor Anne Peach (minutes 6-15)  
Councillor David Smith  
Councillor Andrew Rule

#### Absent

Councillor Steve Young  
Councillor Mohammed Saghir  
Councillor Pat Ferguson

### **Colleagues, partners and others in attendance:**

Bevis Mackie	- Senior Estates Surveyor
Connie Green	- Solicitor
Thomas Straw	- Senior Accountant for Capital Programmes
Eddie Curry	- Parks, Open Spaces and Investment Funding
John Bann	- Cycling and Road Space Transformation Manager
Catherine Ziane-Pryor	- Governance Officer

### **1 APPOINTMENT OF VICE-CHAIR**

Councillor Liaqat Ali is appointed Vice-Chair for the 2017-18 municipal year.

### **2 APOLOGIES FOR ABSENCE**

Councillor Steve Young	) Personal
Councillor Mohammed Saghir	)

### **3 MEMBERSHIP**

**RESOLVED to note the new membership of the Committee for 2017-18 municipal year.**

### **4 DECLARATIONS OF INTERESTS**

None.

### **5 MINUTES**

The minutes of the meeting held on 31 March 2017 were confirmed as a true record and signed by the Chair.

## **6 NOTTINGHAM ENTERPRISE ZONE SUSTAINABLE TRANSPORT PACKAGE**

John Bann, Cycling and Road Space Transformation Manager, and Eddie Curry, Head of Parks, Open Spaces and Investment Funding, jointly presented the report of the Director of Sport and Culture.

The report sought the Committee's approval to use Highfields Leisure Park Trust land to accommodate a new cycle and footpath link between Thane Road/George Green Way and University Boulevard. The proposed footpath link includes a new shared use bridge over the Nottingham-Derby railway; some of the columns for the Bridge would be located on Trust land.

By accommodating such proposals the Trust is being offered a one-off mitigation contribution as compensation for some loss of sports ground space.

Trustees noted that the primary objective of the Trust is to provide public recreation and pleasure grounds for the people of Nottingham forever, and the proposed use of the land does not meet this criteria on its own. The proposals would however, support the development of Nottingham Enterprise Zone and support the sustainable transport infrastructure which in turn improve access routes over the railway line, links for the University and Enterprise Zone but would also increase public awareness and use of the park as well.

Trustee's questions were responded to as follows:

- (a) it is estimated that approximately 1,000 citizens could use at least part of the foot/cycle path per day, particularly due to the nearby tram stop. There will be an automatic counter on the shared bridge over the Nottingham-Derby railway line which will provide usage information;
- (b) Boots land adjacent to Thane Road will be secured from public usage generally but would have access points to the new pathway as required;
- (c) the foot/cycle path will be maintained by the City Council, with the exception of a small section leading to the Tennis Centre, which will be maintained by the Tennis Centre;
- (d) the path will be completely lit along its length and a mutually beneficial and efficient CCTV provision and monitoring partnership agreement is proposed between the City Council and Boots;
- (e) the proposal is still subject to Planning Authority consideration but to date no objections have been received and locally the proposal is welcomed.

Trustees welcomed the proposal as positive for the local area.

**RESOLVED**

- (1) that the proposals for a new pedestrian and cycle route to link George Green Way and University Boulevard with Thane Road through the new Nottingham Enterprise Zone (Alliance Boots) and Nottingham Science Park with controlled access to the Tennis Centre and Highfields Park Sports Ground, including the shared use bridge is endorsed;**
- (2) that a one-off financial contribution to the Highfields Leisure Park Trust of £25,000.00 for the loss of playing pitch space to be accepted subject to the conditions set out in resolution (3) below being met;**
- (3) to grant authority to the Director of Legal and Governance in consultation with the Chair of the Committee to enter into the appropriate legal arrangement with the City Council for the use of Trust Land to accommodate a new bridge structure over the main Nottingham-Derby railway line. Such delegated authority being granted subject to consultation with the Highways Authority and the Charities Commission relating to their requirements for a legally compliant transaction.**

## **7 TRUSTS AND CHARITIES FINANCIAL OUTTURN**

Thomas Straw, Senior Accountant Capital Programmes, introduced the report of the Director of Strategic Finance, which presented the 2016/17 Draft Outturn for Bridge Estate, Harvey Hadden Stadium and Highfields Park Trust.

Trustees noted the circumstances of a tax liability that had been included within the accounts which related to the sale of properties on Mansfield Road. Further detailed updates were to be provided to Trustees on this matter.

### **RESOLVED**

- (1) to note the draft outturn for each of the Trusts for 2016/17;**
- (2) for delegated authority be granted to the Chair to sign the audited accounts on behalf of the Committee.**

## **8 HARVEY HADDEN STADIUM PITCH AND PAVILION IMPROVEMENTS**

Eddie Curry, Head of Parks, Open Spaces and Investment Funding, presented the report of the Director of Sport and Leisure, which informs the Trustees of the successful Bilborough Town Football Club ("BTFC") and its potential to qualify for funding by the Football Foundation ("FF"), to improve the current football facilities, including changing rooms at Harvey Hadden Stadium.

The Committee considered the report and in response to their questions the following additional information was provided:

- (a) if the funding bid was to be successful, there would be no cost to the Harvey Hadden Stadium Trust but the improvements would benefit the Trust and the broader community. In addition, the BTFC would then be eligible to progress up the football league.**

- (b) Since submission of the report to the Committee, a meeting had been held with representatives from BTFC and the Nottinghamshire FA. The potential of a joint bid and the terms of that bid for funding by the football club and the City Council to the Football Foundation was discussed. Trustees noted that the final structure of the arrangements between the parties were still under negotiation.
- (c) The significant factor for Trustees to be aware of was that in return for a capital sum for improvement works, the Football Association would want to have in place secured provision for football on the site, this may take the form of a lease or licence for use.
- (d) Trustees noted that the site was a multi user site and that the needs of all groups had to be considered when putting together such arrangements. Care will be taken to co-ordinate the scheduling of large events on the site.
- (e) BTFC are a popular and increasing successful club which also incorporates junior and disabled football teams.

## **RESOLVED**

- (1) that the principle of a bid for funding to the Football Foundation for capital funding towards improvements at the stadium to support Bilborough Town Football Club be endorsed;**
- (2) to grant authority to the Director of Strategic Asset and Property Management in consultation with the Director of Legal and Governance to enter into the appropriate legal agreements with the Bilborough Town Football Club and the Football Foundation subject to consent being obtained from the Charities Commission if its considered to be a legal requirement;**
- (3) that in the event of a successful bid to the Football Association the proposed improvement works to the pavilion and stadium as detailed in section 2.3 of the report be endorsed.**

## **9 LEASE OF LAND FOR GRASS TENNIS COURTS ON HIGHFIELDS SPORTS GROUND**

Eddie Curry, Head of Parks, Open Space and Investment Funding, presented the report of the Director of Sport and Culture, which updated the Committee on arrangements reported to them in July 2016.

The Committee was informed that the 4 new grass practice courts at the Tennis Centre had been completed, that maintenance of the Courts would be the responsibility of the Tennis Centre and that the City Council will pay £1,500 per year to the Trust for the lease of the land.

## **RESOLVED**

- (1) to grant authority to the Director of Strategic Asset and Property Management in consultation with the Director of Legal and Governance to enter into a legal agreement with the City Council for use of the Tennis Courts subject to**

**consent being obtained from the Charities Commission if its considered to be a legal requirement;**

- (2) **to delegate authority to the Director of Sport & Culture to progress the Community Use Agreements with the Tennis Centre.**

**10 HIGHFIELDS PARK RESTORATION PROJECT AND ADVENTURE GOLF CONCESSION UPDATE**

Eddie Curry, Head of Parks, Open Spaces, and Investment Funding, presented an update on the Highfields Park Restoration Project and Adventure Golf Concession, the details of which are provided within the report.

The following points were highlighted and responses given to Trustees' questions:

- (a) the extensive restoration work on Highfield Park is due to start at the end of July 2017 and will include work on pavilions, railings and a new entrance to the park from the tram stop;
- (b) the boating lake ticket office will be restored, tree work across the park will take place and silt will be removed from the lake during September;
- (c) Showcase Greens Limited have completed work and opened the adventure golf course which has been very well received and is welcomed by citizens;
- (d) the silting of the lake is a long-term issue which has accrued during the last 30 years. As part of the lottery funding agreement, de-silting work will take place annually. Surface water from the road surface is no longer drained to the lake, but instead is diverted into the sewers. This means that future silting will not be considered as contaminated to the same level as the silt which is currently to be removed although there are still potential problems in that it's not possible to control or divert the culvert. The silt to be removed during September has required an environmental plan from the Environment Agency, due to potential contamination it requires a special permit for its disposal at an approved site in Tamworth;
- (e) maintenance costs of the Park are not predicted to fall following improvement works as the lottery funding requires the posts of Park Ranger and Head Gardener to be established from Spring 2018 to ensure that standards are maintained.

Trustees welcomed the update on the successful launch of the adventure golf course.

**RESOLVED to note the update.**

**11 BRIDGE ESTATE PORTFOLIO UPDATE AND REVISION OF DELEGATED AUTHORITY**

Bevis Mackie, Senior Estates Surveyor, presented the report of the Director of Strategic Assets and Property, which provides an update on the Bridge Estate Property Portfolio. Further more detailed information for Trustees on individual properties is included within the exempt appendix.

The following points were highlighted and responses provided to Trustee's questions:

- (a) Trustees discussed the request from a mental health charity to place posters at strategic points on Trent Bridge and whilst not dismissing the request, initially it was suggested that posters would be better placed on each approach to the bridge. However, Trustees requested further information from the mental health charity before coming to a final decision;
- (b) As part of a review concerned with the conservation of Trent Bridge, three quotes for compiling an 'Assessment of Significance' have been received and the Trustees will be asked to select their preferred quote. Once the assessment has been completed, the results will then be used to inform a condition survey, ensuring that any significant features or characteristics are known and can be taken into account during any restoration/repair work. The 'Assessment of Significance' is also important for any potential grant funding bid;
- (c) a Bridge Estate Property Portfolio Review document has been drafted but is yet to be finalised;
- (d) it is proposed that, to ensure that some aspects of the Charity management can operate more efficiently, the Scheme of Delegation is updated to enable administrative duties to be executed as detailed in the appendix to the report. Trustees welcomed the proposal and requested an annual update on the instances where Delegations 10 and 11 (Land and Property sales and purchases up to £75,000) are exercised.

## **RESOLVED**

- (1) to note:**
  - (i) the updates relating to individual properties as detailed in sections 1.1 to 1.9 in the report and the update relating to the Trent Bridge Assessment of Significance as detailed in section 1.10.3 of the report;**
  - (ii) the update relating to Trent Bridge Maintenance Funding as detailed in section 1.10 of the report;**
- (2) that having considered the advertising request detailed in section 1.10.2 of the report, the Senior Estates Surveyor be requested to obtain further information from the organisation to enable the Trust to provide a response to the request;**
- (3) to note the impending changes to Highways markings on Trent Bridge as detailed in section 1.10.4 of the report;**
- (4) with regard to the Scheme of Delegation:**
  - (i) to approve the amended Scheme of Delegation set out in appendix 1 to the report and that all decisions taken in accordance with this Scheme be made in compliance with the City Council's Constitution and Financial Regulations (including the recording of decisions);**

- (ii) that the Corporate Director of Development and Growth and the Director of Strategic Assets and Property are authorised to sub-delegate their power to the appropriate Head of Service to enable the management of trust and charity land and property subject to that delegation being recorded in writing;
  - (iii) for Trustees to receive an annual report providing details of the instances when Delegations 10 and 11 are exercised;
- (5) for the Senior Estates Surveyor to provide 3 potential dates for the annual Bridge Property Portfolio Trustee Tour to members of the Committee and that the date on which the most Trustees are available be used and confirmed for the Tour.

## **12 FUTURE MEETING DATES**

**RESOLVED** to approve that the Committee meets on the following Friday's in Loxley House:

29 September 2017  
24 November  
26 January 2018  
23 March

## **13 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.

## **14 EXEMPT MINUTES**

The exempt minutes of the meeting held on 31 March 2017 were confirmed as a true record and signed by the Chair.

## **15 EXEMPT - BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE (EXEMPT APPENDIX)**

Bevis Mackie, Senior Estates Surveyor, presented the exempt appendix to the report of the Director of Strategic Asset and Property Management, with contributions from Connie Green, Solicitor, and Thomas Straw, Senior Accountant for Capital Programmes.

**RESOLVED** to note the update and approve the recommendations.