

NOTTINGHAM CITY COUNCIL

TRUSTS AND CHARITIES COMMITTEE

MINUTES of the meeting held at LB 31-32 - Loxley House, Station Street, Nottingham, NG2 3NG on 29 July 2016 from 14.00 - 14.50

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 Andrew Rule

Absent

Councillor David Smith
Councillor Toby Neal

Colleagues, partners and others in attendance:

Connie Green	- Solicitor
Eddie Curry	- Head of Parks, Open Spaces and Investment Funding
Mike Wisner	- Chief Operating Officer for Sport and Leisure Centres
Tom Straw	- Finance Manager (Capital)
Bevis Mackie	- Senior Estates Surveyor
Catherine Ziane-Pryor	- Governance Officer

5 APOLOGIES FOR ABSENCE

Councillor Toby Neal (unwell)
Councillor David Smith (unwell)

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6 DECLARATIONS OF INTERESTS

None.

7 MINUTES

The minutes of the meeting held on 27 May 2016 were confirmed as a true record and signed by the Chair.

8 BRIDGE ESTATE BUDGET MONITORING REPORT

Tom Straw, Finance Manager (Capital), presented the report which details the Bridge Estate forecast outturn for 2016/17 based on budget monitoring to May 2016.

The following points were highlighted and discussed:

- (a) very little has changed since the Draft Outturn report was submitted to the Committee in May 2016;
- (b) details of revenue variances are outlined within the report and summarised as follows:

	£
External Income	8,607
Total Expenditure	61,533
Net Surplus	70,140

- (c) Bridge Estate Reserves projected to 31 March 2017 are predicted to total £1,361,573.

The Committee are assured that there are no areas of concern.

RESOLVED

- (1) to note the report;**
- (2) that future budget monitoring reports relating to the Bridge Estate include an amended heading of ‘Repayment of Lister Gate Loan’ in substitution for the heading ‘Investment Expenditure’ in order to provide a clear reflection of the Trust’s finances.**

9 HIGHFIELDS PARK SPORTS GROUND LTA TENNIS COURT IMPROVEMENTS

Eddie Curry, Head of Parks and Open Spaces and Investment Funding, presented the joint report of the Corporate Director of Commercial and Operations and Director of Sport and Culture. The report requested the Committee’s approval to develop four new grass tennis courts at Highfields Sports Ground in partnership with the Lawn Tennis Association (“LTA”) and the approval in principle of the creation of a 50 year Lease to the LTA of the newly developed Courts.

Mike Wisner, Chief Operating Officer for Sport and Leisure Centres attended the meeting to respond to any questions the Committee had on the recommendations.

The following points were highlighted and discussed:

- (a) it is proposed to use the space currently occupied by a football pitch to develop four grass tennis courts which can then be leased to the LTA for a period of 50 years at £1,500 per annum with the Tennis Centre taking responsibility for maintenance of all four courts;
- (b) the total value of investment for the development is £128,000 which will be funded by the LTA;
- (c) the Head of Parks Open Spaces and Investment Funding confirmed to the Committee that the proposals within the report would improve community access to tennis

coaching and top class facilities which is consistent with the Charity's objects of providing sports and recreation facilities;

- (d) the proposals, if approved, would enable the Tennis Centre to expand next summer's tennis tournaments, increasing the likelihood of hosting top class pre-Wimbledon tournaments, the expansion of the children's programme and increased adult engagement. All of these activities will benefit the citizens of the City.

The Chair observed that given that the scheme will result in a reduction of City Council grounds maintenance, some consideration should be given to sharing the benefit of the savings with Highfields Park Trust.

RESOLVED to

- (1) approve the Partnership with the LTA to install four North to South facing grass tennis courts. These courts will be enclosed with 3.6m fencing, with irrigation systems. They are situated in the west corner of the field that runs parallel to the existing practice courts;**
- (2) approve the principal of the creation of a 50 year lease to the LTA subject to the acquisition of any necessary consents and approvals;**
- (3) delegate authority to the Director of Sport & Culture to continue the preparation of the detailed Community use agreements with the Tennis Centre and the LTA;**
- (4) delegate authority to the of Director of Strategic Asset and Property Management to agree the format and terms of the lease.**

10 HIGHFIELDS LEISURE PARK TRUST - RELEASE OF ADDITIONAL DOWRY FUNDS

Eddie Curry, Head of Parks, Open Spaces and Investment Funding, presented the joint report of the Corporate Director of Commercial and Operations and Director of Sport and Culture, which requests the Committee's approval to release £200,000 from the Highfields Park Leisure Trust Dowry to bridge the funding gap on the restoration of the park.

The main cause of the £750,000 predicted 'over spend' is as a result of the Environment Agency revising policies which now require a different approach to the de-silting of the lake, to that which had already been agreed with the Agency's support. Amongst the revised approach to de-silting is that the material from the lake cannot now be used to landscape other parts of the park, but is to be removed from site and disposed of in accordance with specific restrictions.

Officers have examined the proposals for the restoration, and, with the agreement of the National Lottery Funding Supervisors, have managed to change specifications and plans to reduce costs in other areas of the restoration.

To ensure the restoration can continue without further delays to the schedule and incurring additional costs, the Committee is asked to approve the release of £200,000 from the Trust's Dowry for the capital investment. This will leave £188,500 of uncommitted funds in the Dowry. Members of the Committee were informed that alternative options for funding would result in a delay to the works and the potential for incurring additional costs. The proposal to

release the funding from the Dowry also requires approval from the Charities Commission. The Committee approval was sought for the Director of Sports and Culture to enter into those discussions with the Commission.

Councillor's questions were responded to as follows:

- (a) having previously received the full business case and plans for the restoration, the Charity Commission has been sent a copy of the report submitted to this Committee but although a response is yet to be received, colleagues are confident that the request continues to meet the charitable objectives of the Trust;
- (b) it is unlikely that there will be any further silting issues with the lake as additional silt traps will be installed as part of the lottery funded programme and, due to the tram works on University Boulevard, road drainage is now directed into the sewers and not into the lake;
- (c) if the Charity Commission is not fully satisfied with the proposed release of Dowry funds the Committee will need to reconsider how to proceed. In the event of any Charity Commission concerns being raised they would be reported back to the Committee.

RESOLVED

- (1) subject to the agreement of the Charity Commission, the release of £200,000 from the Highfields Park Leisure Trust dowry is approved to bridge the funding gap and help deliver the Park restoration project;**
- (2) that authority be granted to the Director of Sports & Culture to enter into discussions with the Charity Commission seeking formal approval to release and use of £200,000 from the Highfields Park Leisure Trust Dowry Fund on the restoration project**
- (3) that detailed update reports, to include progress on the delivery of the restoration project and financial monitoring of the project be submitted quarterly to the Committee.**

11 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 Woolsthorpe Depot;
- (b) terms for granting a lease for 354 Lister Gate have provisionally been agreed;
- (c) negotiations to reach a settlement with the former tenant of First Floor, Century House, 8-18 Chapel House, are on-going but a prospective tenant has expressed an interest in leasing 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.

RESOLVED to note the report.

12 WOOLSTHORPE CLOSE

Bevis Mackie, Senior Estates Surveyor introduced the report of the Interim Director of Strategic Asset and Property Management, which informed the Committee that E.ON UK PLC wished to continue to lease Woolsthorpe Depot. The terms of the new lease are provided within the exempt appendix to the report.

RESOLVED to note the report.

13 34 LISTER GATE

Bevis Mackie, Senior Estates Surveyor introduced the report of the Interim Director of Strategic Asset and Property Management, which informed the Committee that a new prospective tenant wished to lease 34 Lister Gate which had previously been leased to Poundland. The terms of the new lease are provided within the exempt appendix to the report.

RESOLVED to note the report.

14 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.

15 BRIDGE ESTATE PORTFOLIO UPDATE - EXEMPT VERBAL UPDATE

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

16 WOOLSTHORPE CLOSE - EXEMPT APPENDIX

RESOLVED to approve the proposed terms granting a new lease to E.ON UK PLC as detailed in the Exempt Appendix.

17 34 LISTER GATE - EXEMPT APPENDIX

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