Public Document Pack



NOTTINGHAM CITY COUNCIL TRUSTS AND CHARITIES COMMITTEE

Date: Friday, 23 March 2018

Time: 2.00 pm

Place: Ground Floor Committee Room - 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: Mark Leavesley Direct Dial: 0115 876 4302

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTERESTS

If you need advice on declaring an interest, please contact the Governance Officer above, if possible before the day of the meeting

3	MINUTES	3 - 6
	Last meeting held on 26 January 2018 (for confirmation)	

Last meeting held on 26 January 2018 (for confirmation)

4 BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE 7 - 10 Report of Director of Strategic Assets and Property

5 BRIDGE ESTATE, HARVEY HADDEN STADIUM, AND HIGHFIELDS 11 - 16 TRUSTS - BUDGET UPDATES

Report of Director of Strategic Finance

6 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 grounds that, having considered all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

7 EXEMPT MINUTES 17 - 18

Last meeting held on 26 January 2018 (for confirmation)

8 BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE - EXEMPT APPENDIX

19 - 22

9 RENT ARREARS - UPDATE
Senior Estates Surveyor to report

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 26 January 2018 from 2.00 pm - 3.50 pm

Membership

Present Absent

Councillor John Hartshorne (Chair) Councillor David Smith

Councillor Liagat Ali (Vice Chair)

Councillor Pat Ferguson

Councillor Carole-Ann Jones

Councillor Anne Peach

Councillor Andrew Rule

Councillor Mohammed Saghir

Councillor Steve Young

Councillor Patience Uloma Ifediora (substitute for Councillor Smith)

Colleagues, partners and others in attendance:

Eddie Curry - Head of Parks, Open Spaces & Investment Funding

- Parks Development Manager

James Dymond
Mark Leavesley
Revis Mackie - Governance Officer - Principal Surveyor

Dionne Screaton - Solicitor

Thomas Straw - Senior Accountant, Capital Programmes

Lydia Tatar - Assistant Surveyor

35 APOLOGIES FOR ABSENCE

Councillor Smith personal

36 **DECLARATIONS OF INTERESTS**

None.

37 **MINUTES**

The Committee agreed the minutes of the meeting held on 24 November 2017 as a correct record and they were signed by the Chair.

38 BRIDGE ESTATE PROPERTY PORTFOLIO UPDATE

Bevis Mackie presented the report, which provided an update on the Bridge Estate property portfolio. A more detailed breakdown in regard to individual properties was contained in exempt appendix 1 (agenda item 10, minute 44).

RESOLVED

- (1) to note the report;
- (2) that the Principal Surveyor be requested to:
 - (a) inform Highways and any other relevant Council departments that deviation from the agreed timescale in delaying the undertaking of planned maintenance works to Trent Bridge is unacceptable to the Trustees as those works are a 'paid service';
 - (b) as soon as possible, appoint a consultant to undertake a non-structural survey of Trent Bridge to ascertain its condition to inform future planned maintenance;
 - (c) discuss with Highways the timescale for, and proposed design of, replacement safety barriers along Trent Bridge;
 - (d) provide Trustees with dates for the annual tour of the property portfolio, to be undertaken during April/May 2018.

39 HIGHFIELDS PARK CONCESSIONS

James Dymond, Parks Development Manager, presented the report, which detailed the following:

- a proposal to allow the current leasee, Showcase Greens Limited, to construct a further 9 holes of adventure golf within its lease area at Highfields Park, taking it from 18 to 27-hole, the financial information for which was contained in an exempt appendix (minute 41);
- (2) proposals for the future operation of the Highfields Park boating lake.

RESOLVED

- (1) to note the Chief Finance Officers agreement to dispensation from Financial Regulations for the need to tender (email dated 22 January 2018) and, as such, to approve the construction by Showcase Greens Limited of a further 9-hole adventure golf course within its lease area at Highfields Park;
- (2) to delegate authority to the Parks Development Manager to agree concession terms with Showcase Greens Limited for the operation of the additional 9-hole golf course;
- (3) to approve, following a tendering exercise, the issuing of a contract for the Highfields Park boating lake operation to the successful bidder, noting that Portfolio decision 3003 (dated 03 November 2017) authorised the Director of Sport and Culture to award the contract.

40 EXCLUSION OF PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100(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.

41 HIGHFIELDS PARK CONCESSIONS - EXEMPT APPENDIX

RESOLVED, further to minute 39 above, to note the Highfields Park concessions financial information as detailed in the exempt appendix.

42 <u>HIGHFIELDS PARK SPORTS GROUND - NOTTINGHAM HOCKEY</u> CENTRE IMPROVEMENTS

Eddie Curry, Head of Parks, Open Spaces and Investment Funding, presented the exempt report, which detailed proposals for improvements at Highfields Park Sports Ground.

RESOLVED to approve the recommendations in the exempt report.

43 **EXEMPT MINUTES**

The exempt minutes of the meeting held on 24 November 2017 were confirmed as a correct record and were signed by the Chair.

44 BRIDGE ESTATE PROPERTY PORTFOLIO - EXEMPT APPENDIX

Bevis Mackie presented the exempt appendix to the report.

RESOLVED to note the exempt report.

45 BRIDGE ESTATE PROPERTY - RENT ARREARS

Bevis Mackie presented the exempt report, which detailed rent arrears in respect of Bridge Estate properties.

RESOLVED

- (1) to note the latest position in regards to rent arrears;
- (2) to authorise the use of statutory measures where necessary to enforce payment of debts;
- (3) that the Senior Accountant submits a report, detailing the Bridge Estate VAT liability, to the next meeting.



Trusts and Charities Committee - 23 March 2018

Title	of paper:	Bridge Estate Property Portfolio Update		
Dire	ctor:	Kevin Shutter, Director of Strategic Assets and Property	Wards affected:	
Repo	ort author:	Bevis Mackie – Principal Surveyor 0115 876 3635 Bevis.Mackie@nottinghamcity.gov.uk		
	er colleagues who e provided input:	Dionne Screaton – Solicitor (Contracts and Commercial Team) Tom Straw - Senior Accountant – Capital Programmes (Technical Accounting) Chris Keane – Head of Highway & Energy Infrastructure Chris Capewell – Highway Engineering – Technical Lead Peter Wells – Infrastructure Asset Manager Keith Haggarty – Highway Delivery Manager		
Rele	vant Council Plan I	Sev Theme:		
	egic Regeneration a	•		\boxtimes
Scho		na Bovolopinent		
	ning and Housing			
	munity Services			
	gy, Sustainability an	d Customer		
	, Growth and Transp			
	ts, Health and Comm			
	Iren, Early Intervention			
Leisı	ure and Culture			
Reso	ources and Neighbou	rhood Regeneration		
Summary of issues (including benefits to citizens/service users): The report sets out the key property events that have taken place or proposed for the Bridge Estate since the date of the last meeting.				
Recommendation:				
	That the Committee notes the updates relating to individual Bridge Estate properties and approves the recommended actions as set out in the appendices.			

1 **UPDATE**

1.1 Appended to this report is a schedule setting out the recent activity or proposed actions relating to individual properties within the Bridge Estate portfolio. Where appropriate, specific legal and financial considerations are detailed alongside the Surveyor's update to Trustees.

- 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 <u>FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)</u>
- 4.1 Refer to appendix 1 for finance comments.
- 5 <u>LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)</u>
- 5.1 Charity Commission guidance states that the Trust may purchase and lease property for the charity to generate income to meet its purposes, but Trustees must make sure that it is in the charity's best interests. Trustees are responsible for protecting the charity's money and assets. Therefore, Trustees should satisfy themselves that:
 - the property is suitable for its needs;
 - the price is fair, or even discounted, compared with similar properties on the market:
 - it understand any legal obligations relating to the land, such as planning restrictions;
 - any loan or mortgage terms are reasonable and competitive.
- 5.2 The above paragraph is an extract from Charity Commission guidance to assist and remind Trustees generally about their obligations in relation to the Bridge Estate. Further legal comments in relation to individual property transactions are detailed where necessary within both the public and exempt appendices to this report.
- 6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS
- 6.1 Not applicable.
- 7 **EQUALITY IMPACT ASSESSMENT**
- 7.1 Not required as it does not involve change of policy, services or functions and some aspects for information only.
- 8 <u>LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR</u> THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION
- 8.1 None.
- 9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT
- 9.1 None.

Appendix 1

Bridge Estate Portfolio Update

Item No.	Property name and address	Surveyors Update	Finance Comments	Legal, Procurement and/or Risk comments	Action required by Trustees
1	34 Lister Gate, NG1 7DD	The property remains on the market available 'to let' and we will continue to keep Trustees advised of developments.	No additional finance comments	For update only at this stage, no additional legal comments,	For noting.
2	24-30 Castle Gate, NG1 7AT	The lease renewal remains in the hands of solicitors with completion expected to take place shortly.	Keeping a tenant at 24- 30 Castle Gate means that the Trust is able to keep an income stream and not incur holding costs.	Where appropriate, legal comments have been included in the exempt appendix.	For noting.
Pade 9	Ground Floor and Basement Premises, Century House, 8-16 Chapel Bar, NG1 6JQ	The new lease in respect of the subject property is in the hands of solicitors with completion expected to take place shortly subject to the tenant obtaining an alcohol licence. In order to expedite matters we would advise the prospective tenant is provided a deadline by which to submit the alcohol licence. Should the prospective tenant fail to meet the deadline, the property is re-marketed.	The Bridge Estate budget will be updated pending lease completion.	For update only at this stage, no additional legal comments,	For noting and approval.
4	Upper Floors, Century House, 8-18 Chapel Bar, NG1 6JQ	The lease renewals in respect of the 2 nd and 3 rd floors remains in the hands of solicitors with completion expected to take place in due course.	No additional finance comments	For update only at this stage, no additional legal comments,	For noting.
5	Part of Building no. 3 and Building no. 7, Woolsthorpe Close, Nottingham	The premises are marketed by the letting agent HEB Surveyors at a quoting rent of £75,000 per annum.	No additional finance comments	For update only at this stage, no additional legal comments,	For noting.

1

6	Ground Floor Premises, 5 Castle Bridge,	The lease renewal remains in the hands of Legal Services with completion expected to take place shortly.	The Bridge Estate budget will be updated pending lease completion.	For update only at this stage, no additional legal comments,	For noting.
7	Land and Premises at Hungerhill Road	We understand the prospective purchaser will shortly proceed with submitting a formal application as necessary to secure funding to enable the purchase of the property assets. Legal services have advised that they expect to resolve the preliminary matters by the end of March / beginning April.	Any disposal of these premises can be reinvested in by the Bridge Estate Trustees	For update only at this stage, no additional legal comments,	For noting.
∞ Page 10	Trent Bridge	We currently await a fee proposal with respect to providing a non-structural condition survey, once received we will look to obtain instructions under the relevant scheme of delegation. We understand Highways have reviewed the position and have begun to prepare the scheme for repainting Trent Bridge, and an update regarding the repainting, principal bridge survey and York stone paving will be provided by Highways at the meeting.	Where appropriate, finance comment has been included in the exempt report.	For update only at this stage, no additional legal comments,	For noting and approval.
9	Bridge Estate Annual Tour	Several dates have been presented to Trustees and we currently await confirmation re the preferred date for conducting the annual Bridge Estate Tour.	N/A	N/A	For noting

TRUSTS AND CHARITIES COMMITTEE - 23 March 2018

Title	e of paper:	Budget 2017/18 – Bridge Estate Trust / Harvey Hadden Stadium			
		Trust and Highfields Trust			
	ctor(s)/	Laura Pattman	Wards affected:		
	porate Director(s):	Director of Strategic Finance			
	ort author(s) and	Tom Straw, Senior Accountant – Capital	Programmes		
con	tact details:	thomas.straw@nottinghamcity.gov.uk			
		0115 8763659			
	er colleagues who	Eddie Curry, Head of Parks, Open Space	s and Investment Funding		
	e provided input:	Bevis Mackie, Senior Estates Surveyor			
		h Portfolio Holder(s)			
(if re	elevant)				
	evant Council Plan K				
	tegic Regeneration ar	nd Development			
Scho					
	ning and Housing				
	munity Services				
	rgy, Sustainability and				
	s, Growth and Transp				
	ts, Health and Comm	•			
	dren, Early Intervention	on and Early Years			
Leis	ure and Culture				
Res	ources and Neighbou	rhood Regeneration			
Sum	nmary of issues (inc	luding benefits to citizens/service users	s):		
This	report details the 20°	18/19 Budgets for Trustee approval.			
	ommendation(s):				
1	The 2018/19 budget	s be approved by the Trustees.			
	A	C (00 450 ·· (· · · · · · · · · · · · · · · · ·			
2	Approve the reallocation of £0.150m from the Un-earmarked Reserve to Building Repair				
	reserve and for the 17/18 surplus generated to be allocated as detailed in table 2.				
2	Due to the Dridge Co	state budget position for 2040/40 at areas	ho policy with research to		
3	•	state budget position for 2018/19, change t	ne policy with regards to		
	resourcing the princi	pal payments in relations to Lister Gate.			

1 REASONS FOR RECOMMENDATIONS

1.1 The Trustees have responsibility for making recommendations on the management of the Charity. The budget is a key part of the framework for the financial management of the Trust and the recommendations set out the budget targets against which the performance of the Trust will be monitored.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 This report is an integral part of the Council's regular monitoring, forecasting and reporting system. The report enables the Trusts and Charities Committee to be aware of the financial position of the Charity and therefore allows any appropriate decisions or actions to be taken in their role as Trustee.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 None

4 <u>FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)</u>

4.1 The preparation of the Bridge Estate budget for 2018/19 is set out in **Table 1** and shows an anticipated surplus of £1,325,954 before the grant is awarded to NCC:

TABLE 1: Bridge Estate Budget 2018/19				
	2017/18 Forecast as reported November 2017 £	Movement £	Proposed 2018/19 Budget £	
External Income	(2,237,052)	322,052	(1,915,000)	
Expenditure:				
Premises Costs	281,283	24,672	305,955	
Supplies & Services	840	15,160	16,000	
Support Services	131,510	0	131,510	
Repayment in Borrowing (*)	94,226	(23,645)	70,581	
Surplus before NCC Grant	(1,729,193)	338,239	(1,390,954)	
Less Grant to NCC	1,545,000	0	1,545,000	
Net (Surplus)/Deficit	(184,193)	338,239	154,046	
Movement in Reserves:				
Bridge Repairs and Renewal Funds	72,000	0	72,000	
Asset Repair Fund / Un-earmarked Reserve	112,193	338,239	(226,046)	
Unallocated Surplus	0	0	0	

^(*) The Repayment of Borrowing figure for November 2017 has been amended as per recommendation 3.

The overall material movements (i.e. greater than £10,000) between the 2017/18 and 2018/19 budgets relate to:

- External Income (decrease £322,052): the 18/19 budget is decreased due to several units forecasting to be vacant.
- Supplies & Services (increase £15,160): this budget contains contingencies for Consultants / Specialists / Marketing. As the financial year progresses this budget will be amended accordingly.
- Premises Costs (increase £24,672): increase it due to an expected increase in void costs during 2018/19.
- Repayment on borrowing (reduction of £23,645) has reduced following a reduction in interest charges.

Grant to Nottingham City Council

The table above indicates that the 2017/18 budgeted surplus before NCC grant is £1,325,954. The grant awarded to NCC remains at the same level as 2017/18, which allows the Trust to manage its reserves as indicated below.

Movement in Reserves

The **Table 2** below indicates the reserves movements expected during 2017/18, and the impact of transferring resources from the Un-earmarked Reserve to the newly established Building Repair Reserve:

TABLE 2: Reserves Movement					
	Repairs and Renewals Fund (*)	Un- earmarked Reserve £	Building Repairs Reserve £	Capital Receipt Reserve £	
Actual Balance 1 April 17	474,462	352,913	0	1,480,465	
Expected Movement 2017/18	72,000	(37,807)	150,000	(179,586)	
Projected Balance 31 March 18	545,731	315,106	150,000	1,300,879	
Expected Movement 2018/19	72,000	(226,046)	0	(179,586)	
Projected Balance 31 March 19	617,731	89,060	150,000	1,121,293	

^(*) Projected balance excludes any proposed works expected to be carried out in 2018/19 due to the cost of the works currently being identified.

The Bridge Estate Reserves are set aside for the following:

- Repairs and Renewals Fund is a reserve to fund the maintenance of Trent Bridge.
- **Un-earmarked Reserve** is a reserve where any surplus made by the Bridge Estate is set aside and is expendable at the discretion of the Committee in the furtherance of the charity's objectives.
- **Building Repairs Reserve** is a reserve where surplus made by the Bridge Estate is set aside to fund capital works on existing building stock.
- Capital Receipt Reserve is built up by the approved sale of Bridge Estate Assets and is expended either via capital purchases or the repayment of the Lister Gate loan. The current balance is sufficient to repay the Lister Gate loan until 2027/28 whereby the remaining 5 years repayments would have to be met from the un-earmarked reserve. Any property sales or purchases could affect how much of the reserve is uncommitted. At present there are no plans to make any property disposals, however, this position may change once the portfolio review has been completed.

4.2 Highfields Park Budget

The preparation of the Highfields Park budget for 2018/19 is set out in **Table 3** and shows an anticipated deficit of £112,000 before the grant is awarded by Nottingham City Council (NCC):

Table 3: Highfields Park Budget 2018/19				
	2017/18 Budget as reported November 2017 £	Movement £	Proposed 2018/19 Budget £	
Income:				
Investment Income	(4,710)	4,670	(40)	
Fees and Charges	(35,817)	(4,453)	(40,270)	
Rents	(84,665)	(9,175)	(93,840)	
Concessions	(900)	900	0	
Total Income	(126,092)	(8,058)	(134,150)	
Expenditure:				
Grounds Maintenance	219,413	1,267	220,680	
Utilities	9,473	9,207	18,680	
Building repairs	8,246	(2,416)	5,830	
Finance Charges	960	0	960	
Total Expenditure	238,092	8,058	246,150	
Net Deficit before NCC Grant	112,000		112,000	
NCC Grant	(112,000)		-112,000	
NET (INCOME)/EXPENDITURE	0	0	0	

The material changes in the budget relate to the following:

- Income (increase £8,058):
 - Investment Income (decrease £4,670), has decreased in line with the trust providing a grant of £0.700m (dowry) as a contribution to the capital works.
 - Other income (increase £12,728) due to more commercial activity on site, from 18/19 the concessions income line will be merged with the rents income.
- Utilities (increase £9,207): majority of the increase is due to a rise in water charges.

4.3 Harvey Hadden Stadium Budget 2018/19

The preparation of the Harvey Hadden budget for 2018/19 is set out in **Table 4** and shows an anticipated deficit of £93,290 before the grant is awarded by NCC, there are no material movements from the previous years budget:

TABLE 4: Harvey Hadden Stadium Budget 2018/19			
	2017/18 Budget as reported November 2017 £	Movement £	Proposed 2018/19 Budget £
Income - Rents	(23,000)	(1,110)	(24,110)
Expenditure:			
Grounds Maintenance	83,110	(1,500)	81,610
Utilities	26,840	1,000	27,840
Building repairs	6,990		6,990
Finance Charges	950		960
Total Expenditure	118,850	(500)	117,400
Net Deficit before NCC Grant	95,850	(1,610)	93,290
NCC Grant	(94,900)	1,610	(93,290)
NET (INCOME)/EXPENDITURE	0	0	0

- 5 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)
- 5.1 None
- 6 STRATEGIC ASSETS & PROPERTY COLLEAGUE COMMENTS (FOR DECISION RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE) (AREA COMMITTEE REPORTS ONLY)
- 6.1 None

7 EQUALITY IMPACT ASSESSMENT

7.1	Has the equality impact of the proposals in this report bee	:n assessed?
	No	
	An EIA is not required because:	
	Report does not contain proposals or financial decisions	
	Yes]

- 8 <u>LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION</u>
- 8.1 None
- 9 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT
- 9.1 None



Document is Restricted



Document is Restricted

