

READING BOROUGH COUNCIL

MPALEDURHAM PLAYING FIELDS TRUSTEES SUB-COMMITTEE

21 June 2017

PUBLIC QUESTION NO. 1

Mark Corbett to ask the Chair of the Mapledurham Playing Fields Trustees Sub-Committee:

Please can the Committee explain the way in which it addresses each Councillor's conflict of interest with particular specific reference to their decision between a sale of land (the EFA proposal) versus a volunteer-led approach (the Fit4All proposal)?

REPLY by Councillor D Edwards (Chair of the Mapledurham Playing Fields Trustees Sub-Committee):

The report to tonight's meeting on The Heights Primary School - Planning Application and Consultation - contains, at para 8.9 under Legal Implications, a statement of the obligations on the members of the Sub-Committee in reaching a decision when performing the Council's function as Trustee.

The Councillor members of the Sub-Committee must act in good faith and exclusively in the interests of the Recreation Ground Charity, ie in a way which they honestly believe to be in the Charity's best interests.

The Sub-Committee has been established with delegated powers in order to manage the potential conflicts that otherwise might arise for the Council in relation to the Recreation Ground Charity and the EFA's proposal. The report makes clear that individual Councillors must manage any conflicts of interest they may have; and in particular should declare at the outset of the meeting any role played by any Member of the Sub-Committee which may relate to the Charity in any respect or may conflict with their role as a member of the Sub-Committee.

At para. 8.10, the report draws all Committee Members' attention to, and provides a link to, the Charity Commission's guidance on decision-making by charity trustees.

At para. 8.11, the report states that the decision officers consider the Sub-Committee should make at every stage is whether or not, in the light of the information which is then available, the EFA proposal is capable of being in the best interests of the Charity - for example because it is considered to be capable of enhancing the amenity value of the Ground - and should therefore be pursued.

I am grateful to Mr Corbett for providing this opportunity to draw the attention of all Sub-Committee members to this important part of the report.

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PUBLIC QUESTION NO. 2

Martin Brommell to ask the Chair of the Mapledurham Playing Fields Trustees Sub-Committee:

How will the Council ensure facilities exist at the MPF location on a 24/7 basis to cater for the health, social inclusion and wellbeing needs of all age groups, without showing undue bias towards a specific age group, which would be discriminatory?

REPLY by Councillor D Edwards (Chair of the Mapledurham Playing Fields Trustees Sub-Committee):

In common with all of Reading Borough Council's parks and open spaces, Mapledurham Playing Fields are free to use and open every day of the year. There is no barrier to use whether by ethnic origin, age, social background or financial means. Parks and open spaces in general are the most frequented Council service in which people make a choice as to whether to use or not.

The Mapledurham Playing Fields are managed and maintained to meet the object of the Charitable Trust, provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions. In doing this, the Council as Trustee is supported by the Mapledurham Playing Fields Management Committee, which exercises a general supervision over the activities at the playing fields and ensures that the objects of the charity are achieved, including reviewing on a regular basis the terms and conditions for lettings, determining the charges to be applied, and ensuring that adequate consultation is carried out at least annually with the users of the playing fields by liaison with the Users' Organisations.

Any developments must seek to facilitate use by Reading and Mapledurham residents from all age groups and backgrounds.

A number of possible improvements have been identified within the consultation document to be considered at tonight's meeting. These would benefit all age groups. For example, footpaths would support use of the grounds by people with mobility limitations and general use in inclement weather, improved sports facilities would often be used by young people, play facilities by children and families, and landscape improvements would benefit all users and the local population. There are further improvements identified within the consultation document, including a request for people to suggest different improvements to ensure that a wider variety of possible changes can be considered.

It should be noted that the refurbishment of the pavilion is also included within the consultation which would reinstate services previously provided. Before it closed, the Pavilion supported both a Toddlers' Group and an after-school club.

Increased use introduces natural or passive policing, increasing perceptions of safety

that is often the biggest barrier to participation. This is of benefit to all. Needs of users must be balanced against those of neighbouring residents. For this reason, it is not foreseen that providing facilities to encourage use through the night to achieve a 24/7 service will be promoted.

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COUNCILLOR QUESTION NO. 1

Councillor Isobel Ballsdon to ask the Chair of the Mapledurham Playing Fields Trustees Sub-Committee:

No Development Precedent on Playing Fields

The committee papers set out that if The Heights Primary School is built in the corner of Mapledurham Playing Fields it would not set a precedent in any way for further development. This will provide welcome reassurance to many residents in my ward and elsewhere.

Please will you give further explanation on how this is the case and provide more detail on what the additional protection provides?

REPLY by Councillor D Edwards (Chair of the Mapledurham Playing Fields Trustees Sub-Committee):

The proposal by the Education Funding Agency (EFA) has been evaluated by an independent Valuer who has advised that it is in the best interests of the Charity to proceed with the EFA proposal. This is subject to the obtaining of planning consent.

The members of the Sub-Committee are clear in their understanding that any development proposal must be evaluated against the object of the Charity, which is the provision and maintenance of a recreation ground for the benefit of the inhabitants of the Parish of Mapledurham and the Borough of Reading without distinction of political, religious or other opinions.

To date, and in-principle only, the EFA proposal has been considered by the Sub-Committee to be capable of being in the best interests of the Charity and its beneficiaries. Indeed, if this lengthy and time-consuming exercise establishes any precedent, it is that a key duty owed by the Sub-Committee (under the powers delegated by the Council as Trustee of the Charity) is to assess whether and how any development proposal is in the best interests of the Charity and its beneficiaries.

In this regard, the Sub-Committee cannot give a categorical assurance that future hypothetical development could not take place, but it is clear that any such hypothetical development must be in the best interests of the Charity and its beneficiaries. Therefore, were the Council to receive a future hypothetical offer of many millions of pounds which could fund a replacement facility which contained the same/more pitches and better sports pitches in a larger area, then it is conceivable that the Sub-Committee may come to a decision that it could be in the best interests of the Charity for example to dispose of the existing playing fields and relocate to another site.

There are two possible ways in which the impact of the current and any future development proposals may be moderated at Mapledurham Playing Fields.

First, if the EFA proposal proceeds, Fit4All could approach the Council to run the remaining part of the Recreation Ground land on a 30-year agreement - with funding already secured for a number of improvements. To date Fit4All have said this is not an option they are prepared to consider or pursue.

Secondly, within the report being considered tonight is a proposal for the Trustees to place a covenant over the land for recreational purposes by entering into a Deed of Dedication with Fields in Trust. This will be discussed later. This would provide additional protection against future development. Charity Commission consent would be required.

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COUNCILLOR QUESTION NO. 2

Councillor Isobel Ballsdon to ask the Chair of the Mapledurham Playing Fields Trustees Sub-Committee:

Timely Deliverability of Proposals

First and foremost Mapledurham Playing Fields User Groups consistently have stated their urgent need for the Pavilion to be refurbished/rebuilt and reopened. Please advise on the Trustees' view on the timely deliverability of the EFA's proposal against the FIT4All proposal.

REPLY by Councillor D Edwards (Chair of the Mapledurham Playing Fields Trustees Sub-Committee):

The consideration which would be received from the EFA is subject to this Sub-Committee confirming that the planning application proposed to be submitted by the EFA is acceptable from the point of view of its impact on the amenity value of the Ground.

The Sub-Committee will also need to consider in due course the results of the public consultation (if the Sub-Committee decides to progress this) and make a final decision whether or not to proceed with the EFA proposal which takes into account the responses to the consultation. The consultation will also identify where beneficiaries would like to see the money to be spent. This could be on the refurbishment or replacement of the Pavilion.

Any decision to proceed with the EFA proposal will also depend upon obtaining an order from the Charity Commission (unless the Commission accepts that the part of the Ground which it proposed by the EFA should be disposed of is "small" and will not affect the Charity's ability to carry out its charitable object)

The Fit4All proposal is subject to obtaining funding from a third party to meet the costs of refurbishment of the Pavilion. Whilst Fit4All has identified potential sources of funding, none can be guaranteed as Fit4All is unable to approach funding sources until the Sub-Committee has decided whether it considers that the EFA proposal is in the best interests of the Charity and its beneficiaries.

This is because Fit4All has stated that they will not proceed with its proposal unless the entirety of the Recreation Ground is preserved (and that the EFA proposal does not therefore proceed).

COUNCILLOR QUESTION NO. 3

Councillor Isobel Ballsdon to ask the Chair of the Mapledurham Playing Fields Trustees Sub-Committee:

Postal Notification Area of Consultation

Can the postal notification area of the consultation be extended in line with the Mapledurham Playing Fields Management Committee's recommendation to go further east to include the Kidmore Road (plus the Closes off) and down to the whole of The Warren?

REPLY by Councillor D Edwards (Chair of the Mapledurham Playing Fields Trustees Sub-Committee):

The report to tonight's meeting proposes that the public consultation is principally online, through the Council's website, promoted through press coverage, social media, and public adverts on site and in local parks and community buildings during the busy summer season. This is consistent both with current policy and practice and the Council's serious budget situation. Online consultation can secure positive results: that undertaken on the Reading Abbey Revealed project for example attracted a very healthy response.

In support, the report is proposing the distribution of leaflets to residents living in Mapledurham Parish and Mapledurham ward - around 1,250 households in Reading. The proposal made by Councillor Ballsdon, to extend the area covered eastwards to Kidmore Road, could more than double this figure. The number of households in Thames ward WA polling district - which covers that part of the ward to the west of Hemdean Bottom - is 1,750.

The cost of sending the leaflet by post is around £1 per household, based on a second-class stamp at 76p. Therefore the estimated cost for extending the area for postal distribution will rise from around £1,500 (including Mapledurham Parish) to over £3,000. Unfortunately there is no budget available for this.

The closer people live to a park or playing field the more likely they are to use the green space. The catchment area guidance in the Council's Open Spaces Strategy suggests that recreation grounds will most likely be used on a regular casual basis by residents living within a quarter of a mile radius - 400m, representing approximately a 5 minute walk - for informal open space and non-organised events/sports; and that local parks will be used by local residents living within a half-mile radius - 800m - 10 minute walk - for more organised sport. These residents are likely to be representative of this group of user or beneficiary. This in practice is Mapledurham ward. The distance from the nearest point in Kidmore Road to the Playing Fields, via the most direct route of Richmond Road, is 0.6 of a mile.

In addition, as set out in the report, it is planned to liaise directly with organisations regularly using the Playing Fields to elicit responses from this group of users and establish their needs. This will direct the organisations to the consultation page on the Council's website, and encourage people to respond online.