

**MAPLEDURHAM PLAYING FIELDS TRUSTEES SUB-COMMITTEE MINUTES -
9 JANUARY 2018**

Present: Councillor D Edwards (Chair); Councillors Absolom, Ayub, Hoskin, and Woodward.

Apologies Councillors McDonald and Steele

5. MINUTES

The Minutes of the meeting of the Sub-Committee held on 21 June 2017 were agreed as a correct record and signed by the Chair.

6. QUESTIONS AND REPRESENTATIONS

Questions on the following matters were submitted, and answered by the Chair:

Questioner	Subject
Bryce Gibson	Accounting for the cost of officers, trustees and professional advice in considering the ESFA proposal
George Allen	Timing of discussion of the Draft Lease

(The full text of the questions and replies was made available on the Reading Borough Council website).

With the permission of the Chair the following people addressed the Sub-Committee regarding the proposals received by the Council as Trustee of the Mapledurham Recreation Ground Charity and/or the public consultation which had been carried out on those proposals (see Item 7 below):

Steve Brown (Caversham Trents)

Elisa Miles (Fit4All)

Kerry Parr (Heights Primary School)

Alistair McLean (WADRA)

Robin Bentham (WADRA)

Sharon McHale (Education and Schools Funding Agency)

Councillor Ballsdon (Mapledurham Ward Councillor)

Councillor Ballsdon also presented, as Chair of the Mapledurham Playing Fields Management Committee, a response from the Management Committee to a number of the officer reports submitted to this meeting of the Sub-Committee.

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7. THE HEIGHTS PRIMARY SCHOOL: RESULTS OF PUBLIC CONSULTATION

Further to Minute 4 of the Sub-Committee's meeting on 21 June 2017, the Head of Legal and Democratic Services presented a report reviewing the Mapledurham Playing Fields consultation exercise that had taken place with the Beneficiaries over the summer on two proposals received by the Council as Trustee of the Mapledurham Recreation Ground Charity (the "Charity") for the future ownership and use of part or all of the Playing Field and Recreation Ground that is currently in Mapledurham ward ("the Ground"), as follows:

- 1) The proposal received from the Education & Skills Funding Agency (ESFA - formerly the Education Funding Agency) to take a 125 year lease of 1.231 acres of the Ground - less than 5% of the total acreage of 25 acres - for use as the site for The Heights free school, in return for a payment to the Trustee of £1.36M;
- 2) The 'Fit4All' proposal from the Mapledurham Playing Fields Foundation ("MPFF") to take a 30 year lease of all of the Ground to manage and improve the Ground during that period, at a peppercorn rent.

The report provided an analysis of the consultation responses. It also gave details of ongoing communications between the Council as Trustee and the Charity Commission.

The following documents were attached to the report:

- Appendix 1 - Printed Version of the Consultation Document
- Appendix 2 - Methodology used in the Evaluation of the Responses
- Appendix 3 - Analysis of Consultation Responses
- Appendix 4 - Spreadsheet of Consultation Responses (available in electronic format only, through the Council's website - <http://www.reading.gov.uk/mapledurham-playing-fields-trustees>)
- Appendix 5 - Equality Impact Assessment
- Appendix 6 - Mapledurham Playing Fields Foundation (MPFF) 'Fit4All' proposal
- Appendix 7 - Heat Map (showing the areas where respondents lived)

The report explained that the consultation had commenced on 14 July 2017 and had closed on 25 September. The Sub-Committee was advised of a correction to the report, which was that the consultation had generated 3,313 (not 3,045) responses from Beneficiaries of the Charity, the highest level of response to a Council-run public consultation exercise, of whom 2,705 - 82% - supported the view that investing the £1.36M lease premium from EDF into the Ground would improve its amenity value, even with the loss of open space to the school.

The Sub-Committee was advised that the launch workshop with groups using the facilities which had been planned for the commencement of the consultation had not been run due to the change in the start date of the consultation and the relatively short notice of the new start date. Accordingly, three drop-in sessions had been held instead. It was noted that an opportunity had been afforded to interested organisations to participate in the development of the consultation but this invitation had not been taken up.

The Sub-Committee was advised of three complaints which had been submitted regarding the consultation, and given explanations of officers' responses to each.

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The report explained that the Consultation Document had included, on page 1, a map showing both the area of land owned by the Charity and, outlined in red, that part of the Ground for which the ESFA were seeking disposal for use as the site of a new school for The Heights free school, in return for a lease premium of £1.36M to be applied solely and exclusively to meet the charitable recreational object of the Charity.

The report stated that the Charity Commission had requested a meeting with the Council as Trustee to review the outcome of the public consultation process and the process and timetable for taking a decision in relation to the future use of the Recreation Ground held by the Council as trustee. This had been held on 10 November 2017. Following this, the Charity Commission had written to the Council as Trustee with regulatory advice, which was set out in a report elsewhere on the agenda (Minute 8 refers).

Resolved -

- (1) That the Consultation Document, Mapledurham Playing Fields Consultation: Have Your Say, attached to the report at Appendix 1, and the process and timetable for the consultation exercise with the Beneficiaries of the Trust, undertaken over the summer of 2017, be noted; and the high level of response be welcomed;
- (2) That the methodology used for the evaluation of the responses, attached to the report at Appendix 2, be endorsed;
- (3) That the analysis of the consultation responses, attached to the report at Appendices 3 and 4, be received and considered, in particular the fact that over four-fifths of the Beneficiaries who responded believed that investing the £1.36M lease premium from the ESFA into the Ground would improve the amenity value of the Playing Fields even with the loss of open space to the proposed school;
- (4) That the equality impact assessment, attached to the report at Appendix 5, be received, and its conclusion be noted that the proposal would not have a negative impact on any of the groups protected by the Equality Act 2010, subject to the implementation of some mitigation measures;
- (5) That the regulatory advice of the Charity Commission, set out in a separate report to this Sub-Committee, be considered.

8. MAPLEDURHAM RECREATION GROUD CHARITY - REGULATORY ADVICE FROM CHARITY COMMISSION

Further to Minute 4 of the Sub-Committee's meeting on 21 June 2017, and the report on the outcome of the public consultation, the Head of Legal and Democratic Services submitted a report setting out the regulatory advice provided to the Council as Trustee for the Mapledurham Playing Field and Recreation Ground (the Playing Fields) in respect of making a decision in relation to the future use of the Recreation Ground held by the Council as trustee of the Mapledurham Recreation Ground Charity (registered charity number 304328).

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The report explained that officers of the Council representing the Sub-Committee, together with the Sub-Committee's external legal advisor Veale Wasbrough Vizards, had been invited by the Charity Commission to meet with it in advance of the Sub-Committee considering the outcome of the public consultation exercise and making further decisions in relation to the Charity, in particular a decision in relation to the proposed grant of a lease to the ESFA. This meeting had taken place on 10 November 2017 at the Charity Commission's headquarters in London. The Senior Case Worker for the Charity Commission had written to the Head of Legal & Democratic Services on 20 November 2017, to provide the Sub-Committee with regulatory advice. This letter was attached to the report at Appendix A.

The report stated that the Charity Commission's letter made clear that it considered the Sub-Committee was not yet in a position to take a decision in relation to the proposed grant of a lease to the ESFA. Further consideration of all of the options open to the Sub-Committee in relation to the future use of the Recreation Ground and the impact of the ESFA proposal was required. The report therefore recommended a process and timetable to prepare a report on the three options open to the Sub-Committee in relation to the future use of the Recreation Ground (being the status quo, the ESFA proposal and the Fit4All proposal made by the Mapledurham Playing Fields Foundation) and an impact assessment of the ESFA proposal against a master plan for the future use of the Recreation Ground, to inform the Sub-Committee's future decision-making. This timetable was attached to the report at Appendix B.

Resolved -

- (1) That the Officers advising the Sub-Committee be instructed:**
 - i) to prepare a "masterplan" for the Recreation Ground which identified on an indicative basis how the ESFA lease premium could be applied if the ESFA proposal were to be accepted (in line with the Charity Commission's guidance on this); and**
 - ii) to prepare an options report, which taking into account the masterplan, enabled the Sub-Committee to evaluate the impact of the three options on the amenity value of the Ground for beneficiaries of the Charity.**

- (2) That with regard to the above, the Officers should:**
 - i) consult with the Mapledurham Playing Fields Management Committee on the outcome of the public consultation exercise, the options report and the masterplan;**
 - ii) engage with the ESFA in relation to the master plan, the Community Use Agreement, any section 106 requirements and any planning mitigation;**
 - iii) engage with the Caversham Trents Football Club on the level of sports provision and the playing pitch strategy that could be included in the masterplan;**

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- iv) engage with the trustees of the Mapledurham Playing Fields Foundation in relation to that part of the options report which addressed the Fit4All proposal;
 - v) engage with such other stakeholders as the Officers may consider appropriate.
- (3) That a further meeting of this Sub-Committee be held in February 2018 to consider the masterplan and options report, subject to engaging with the bodies identified above, whose views should be reported to the next meeting of the Sub-Committee.

9. MAPLEDURHAM PLAYING FIELDS LANDSCAPE MASTER PLAN

The Head of Legal and Democratic Services and Chief Valuer submitted a report describing how, with reference to the regulatory advice of the Charity Commission, the feedback from the public consultation would be used to produce a landscape masterplan to determine how a premium from the Education and Schools Funding Agency (ESFA) could be used to enhance the amenity value of the Ground.

During production of the landscape masterplan, Officers would engage with the Ground's current principal sports user (Caversham Trents Football Club), the ESFA, the Mapledurham Playing Fields Management Committee and any other relevant stakeholders.

The landscape masterplan would be considered by a subsequent meeting of the Sub-Committee. This would provide information to enable consideration of both the ESFA proposal and the Fit4All proposal?

Resolved -

- (1) That Officers produce a costed landscape masterplan to enable consideration and evaluation of the ESFA proposal;
- (2) That Officers engage with Caversham Trents Football Club, the ESFA, the Mapledurham Playing Fields Management Committee and other relevant stakeholders in relation to the masterplan.

10. MAPLEDURHAM MANAGEMENT UPDATE AND DRAFT ACCOUNTS

The Director of Environment and Neighbourhood Services submitted a report on the current use and condition of the playing fields, including the pavilion.

The report also presented the draft accounts for 2016/17 prior to their submission to the Charity Commission. The accounts were laid out in section 9 of the report and further detailed information regarding income and expenditure was provided in Appendix 1 of the report.

The Mapledurham Playing Fields Management Committee had considered the draft accounts at its meeting on 3 January 2018. Their comments had been relayed to the Sub-Committee by Councillor Ballsdon, Chair of the Management Committee, during her address under Minute 6 above.

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Resolved -

- (1) That the current position be noted;
- (2) That the draft accounts be submitted to the Charity Commission.

11. CHAIR'S CLOSING REMARKS

In closing the meeting the Chair reported that she had that day responded to a letter from Lord Agnew, Parliamentary Under-Secretary of State for the School System. Copies of the letter and of Councillor Edwards' response were made available at the meeting and on the Council's website.

(The meeting started at 7.00 pm and finished at 8.45 pm).