

## CHARITIES COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Monday, 11th July, 2016 at 6.30 pm

**Present:** Councillor David Griffiths in the Chair;

Councillors Cheryl Butler (substitute for Chris Baron), Tony Brewer, Amanda Brown and Phil Rostance.

**Apology for Absence:** Councillor Chris Baron.

**Officers Present:** Lynn Cain, Ruth Dennis and David Greenwood.

**In Attendance:** Councillor Mike Smith.

### **CC.1 Declarations of Disclosable Pecuniary and Non Disclosable Pecuniary/Other Interests**

No declarations of interest were made.

### **CC.2 Minutes**

RESOLVED

that the minutes of the meeting of the Committee held on 16th March, 2016, as now submitted, be received and approved.

### **CC.3 Teversal Community Centre and Recreation Ground (Charity Number 522310) - Update**

The Assistant Chief Executive (Governance) and Monitoring Officer presented the report and took the opportunity to update the Committee on progress since the previous Charities Committee meeting held on 16<sup>th</sup> March, 2016 as follows:-

#### Temporary Facilities for the Cricket Club

Temporary changing facilities would continue to be provided to the Cricket Club for the current season with a new licence to be entered into for the new season (on the same terms as the previous licence) with an agreed termination date of 1<sup>st</sup> December, 2016.

#### Financial Position

The Trust's Accounts for the financial year 2014/15 reported a retained deficit of £104k with the cumulative deficit to the end of March 2016 showing at just over £120k. To date, for 2016/17, the Council had made a further £181.26 payment on behalf of the Trust.

In relation to progress for entering into the proposed Leases, Committee Members were updated on the following:-

#### Football Club

The Council had been informed that the Football Club wanted to enter into a dialogue about the possibility of it taking over the Trust in its entirety from the Council. Legal advice had been obtained by the Club which recommended them to refrain from commenting about the lease until after the Council has replied about the Club taking over the Trust. In addition, no quotes had yet been received in relation to the works to the kitchen.

#### Bowls Club

The Bowls Club had advised the Council that it was unable to enter into a lease as it could not afford to pay the rent and cover the other costs associated with taking on the lease.

#### Cricket Club

The Cricket Club informed the Council that it was not able to accept the terms of a lease if the temporary facility was to be removed during 2017 as this would not allow sufficient time to obtain funding for, and build, a new permanent facility. Dialogue was entered into and an offer was made by the Council to extend the retention of the temporary facilities for a further year until 2018.

The Cricket Club had subsequently confirmed that it wished to continue working with the Council and might consider signing a lease if the temporary facility remains on site on a rolling one year extension negotiated on an annual basis.

#### Visitors Centre

The Visitors Centre had signed and agreed to the heads of terms and the process of drafting the lease had commenced. Once drafted, the Council would be seeking confirmation of acceptance of the terms from CISWO and to advertise the lease, as set out in earlier reports to Committee, before seeking permission from the Charities Committee.

#### Football Club Proposal

As outlined above, the Football Club had informed the Council that it wished to enter into a dialogue about the possibility of it taking over the Trust in its entirety from the Council.

The Council was of the belief that the future operation of the site was a separate matter to the ongoing lease negotiations. The future running of the Trust was a matter for all the users of the site to be involved in and the Council would be happy to hold discussions regarding the Football Club's proposals if all groups confirmed that they were in favour of such a proposal.

Council would therefore authorise the Chairman of the Charities Committee, supported by relevant officers, to enter into a dialogue with the users of the site and in particular the Football Club to explore this proposal further, should the Football Club confirm its acceptance of the proposed lease terms by 5<sup>th</sup> August, 2016.

RESOLVED that

- a) approval be given to enter into a further Licence with the Cricket Club for the current season pending lease negotiations, on the same terms as the previous Licence, to terminate on 1st December, 2016;
- b) the current financial position as set out in the report, be noted;
- c) the acceptance of the heads of terms by the Visitors Centre, be noted;
- d) the heads of terms with the Cricket Club be amended to enable the temporary facility to remain on site on a rolling one year extension, negotiated on an annual basis, with such extension being subject to the Cricket Club progressing with its plans to build a new changing facility in a timely manner to the Council's satisfaction;
- e) approval be given to serve notice to quit on any Club, giving 6 months' notice, who have not confirmed their acceptance of the proposed heads of terms by 5<sup>th</sup> August, 2016;
- f) to seek interest from other similar sporting/recreational clubs/organisations with a view to offering leases (as previously approved at Council on 10th December, 2015, Min. Ref. C.62 refers);
- g) in the event that the Football Club confirms its acceptance of the proposed lease terms by 5th August, 2016, to authorise the Chairman of the Charities Committee, supported by relevant officers, to enter into a dialogue with the users of the site and in particular the Football Club to explore the Football Club's proposal to take over the operation of the Trust.

Reasons:

To comply with the Scheme (Constitution) of the Teversal Community Centre and Recreation Ground, the Council's Constitution and charities legislation overall. The Trustee must act in the best interests of the long term future of the Trust and seek to generate income to sustain the charity.

The meeting closed at 6.40 pm

Chairman.