

READING BOROUGH COUNCIL  
REPORT BY MONITORING OFFICER

TO:	POLICY COMMITTEE		
DATE:	31 OCTOBER 2016	AGENDA ITEM:	15
TITLE:	CHANGE OF SUB-COMMITTEE NAME		
LEAD COUNCILLOR:	COUNCILLOR LOVELOCK	PORTFOLIO:	LEADERSHIP
SERVICE:	CORPORATE	WARDS:	MAPLEDURHAM
LEAD OFFICER:	CHRIS BROOKS	TEL:	0118 937 2602 / 72602
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**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 To consider a proposal to change the name of 'The Heights Free School Sub-Committee' to 'The Mapledurham Playing Field Trustees Sub-Committee'.

**2. RECOMMENDED ACTION:**

- 2.1 That 'The Heights Free School Sub-Committee' be renamed 'The Mapledurham Playing Fields Trustees Sub-Committee', to exercise the functions set out in paragraph 3.3 of the report and in Article 7 of the Council's Constitution.
- 2.2 That the Council's Constitution be updated to reflect the change in name of the Sub-Committee as set out in 2.1 above.

**3. POLICY CONTEXT**

- 3.1 The Mapledurham Playing Fields are the subject of a Charitable Trust Scheme which was entered into in September 1985. Article 6 of the Scheme sets out the objectives of the Charity as follows:

- (1) 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  
(2) The said land shall be held upon trust for use for the object of the Charity.

- 3.2 Under Article 7.12 1(6) of the Council Constitution, the Council had delegated the function of Trustee of the Trust to the Policy Committee.

- 3.3 At the Policy Committee on 1 December 2014 (Minute 55 refers) it was agreed to establish a sub-committee to discharge the Council's functions as trustee and landowner of sites which the Education Funding Agency (EFA) had

identified as possible sites for The Heights Free School, with the following terms of reference:

(1) That a Heights Free School Sub-Committee be set up under Section 101 of the Local Government Act 1972, with the following delegated powers in respect of any proposal that may be made by the Education Funding Agency (EFA) as its preferred site for The Heights free school on land owned by the Council in west Caversham:

(a) If the EFA recommend Mapledurham Playing Fields:

- i) To exercise the function of the authority as Trustee of the Mapledurham Playing Fields, and to oversee and promote the objectives of the charitable trust, ie 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;
- ii) To consider and respond, as trustee, to any proposal made by the EFA, or any other body including the authority, which might touch upon the objectives of the charitable trust in relation to this matter;

(b) If the EFA recommend Albert Road Playing Fields:

- i) To exercise the function of the authority as Trustee of Albert Road Playing Fields, and to oversee and promote the objectives of the charitable trust, ie to provide a public ground for the Borough of Reading for the purposes of the Recreation Grounds Act 1959;
- ii) To consider and respond, as trustee, to any proposal made by the EFA, or any other body including the authority, which might touch upon the objectives of the charitable trust in relation to this matter;

(c) If the EFA recommend the Council's land at Shipnell's Farm, Bugs Bottom:

To represent the Council's interest as landowner in the land which by the covenant is expressly held as public open space; and in this respect to consider and respond to any proposal made by the EFA, or any other body, including the authority, which might touch upon the covenant in relation to this matter.

#### **4. THE PROPOSAL**

##### **4.1 Current Position:**

The Heights Free School Sub-Committee has met three times, most recently on 11 October 2016 to consider a proposal from the EFA to site The Heights Free School at Mapledurham Playing Fields.

##### **4.2 Options Proposed**

4.2.1 As the proposal before the Sub-Committee from the EFA relates solely to the Mapledurham Playing Fields and does not affect the other potential sites within its terms of reference, it is proposed to change the name of the Sub-Committee from 'The Heights Free School Sub-Committee' to 'The Mapledurham Playing Fields Trustees Sub-Committee'.

4.2.2 It is anticipated that the change of name will better reflect the current purpose of the Sub-Committee to consider a proposal from the EFA in relation to its role as trustee of the Mapledurham Playing Fields.

#### **4.3 Other Options Considered**

Do nothing.

### **5. CONTRIBUTION TO STRATEGIC AIMS**

5.1 This is a process report regarding decision-making by the authority and as such it does not directly affect the Council's Corporate Plan Priorities.

### **6. COMMUNITY ENGAGEMENT AND INFORMATION**

6.1 Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".

6.2 This is a process report regarding decision-making by the authority and as such it does not require any public consultation.

### **7. EQUALITY IMPACT ASSESSMENT**

7.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 As this is a process report it does not have a differential impact on: racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief. As such it does not require an equality impact assessment.

### **8. LEGAL IMPLICATIONS**

8.1 The Sub-Committee is set up under Section 101 of the Local Government Act 1972, in accordance with the Committee system of governance adopted by the Council in May 2013, to exercise the functions set out in paragraph 3.3 above and Article 7 of the Council's Constitution.

**9. FINANCIAL IMPLICATIONS**

9.1 This report does not give rise to any immediate financial implications other than the cost of holding additional meetings.

**10. BACKGROUND PAPERS**

10.1 None