

**MAPLEDURHAM PLAYING FIELDS TRUSTEES SUB-COMMITTEE MINUTES -
20 JUNE 2018**

Present: Councillor D Edwards (Chair); Councillors Ayub, K Edwards, Warman and Woodward.

1. MINUTES

The Minutes of the meeting of the Sub-Committee held on 9 January 2018 were agreed as a correct record and signed by the Chair.

2. MINUTES OF THE MAPLEDURHAM PLAYING FIELDS MANAGEMENT COMMITTEE: 3 JANUARY 2018

The Minutes of the meeting of the Mapledurham Playing Fields Management Committee held on 3 January 2018 were received for information.

3. REPRESENTATIONS

With the permission of the Chair the following people addressed the Sub-Committee regarding the Mapledurham Playing Fields Landscape Master Plan and Options Report (Minute 4 and 5 below):

Nigel Stanbrook (Mapledurham Users Group)

Sharon McHale (Education and Schools Funding Agency)

Susan Jones (Heights Primary School)

Steve Brown (Caversham Trents Football Club)

Councillor Ballsdon (Mapledurham Ward Councillor)

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

4. THE HEIGHTS PRIMARY SCHOOL: UPDATE FOLLOWING PLANNING APPLICATIONS COMMITTEE AND CONSULTATION ON MASTERPLAN

Further to Minute 7, 8 and 9 of the Sub-Committee's meeting on 9 January 2018, the Head of Legal and Democratic Services and Valuation Adviser presented a report providing the Sub-Committee with an update on the Heights School (the 'School') planning application, which had been considered by the Local Authority's Planning Applications Committee on 4 April 2018, and the Landscape Master Plan for the Mapledurham Playing Fields ('the Ground').

The Sub-Committee noted that the report would need to be considered in conjunction with the Landscape Master Plan and Options report, on the agenda for the meeting (see Minute 5 below). The Sub-Committee's attention was also drawn to the draft Community Use Agreement, which had been circulated separately.

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The report explained that the Planning Applications Committee had considered the planning application submitted by the Education & Schools Funding Agency (ESFA) at its meeting on 4 April 2018. This had been the subject of an objection by Sport England, to the Secretary of State. The Committee had resolved to grant permission, subject to:

- the outcome of the Sport England call-in request to the Secretary of State;
- planning permission being dependent on the completion of a Section 106 legal agreement/unilateral undertaking to secure the Heads of Terms set out in the report, as amended by the Committee.

The report advised that the Secretary of State had given notice on 4 May 2018 that he would not be calling in the planning application.

The report also advised that the ESFA had offered to pay an additional £375,000 towards mitigation works. The Sub-Committee was reminded that there was an additional existing £85,000 Section 106 contribution which could be spent on the Pavilion.

The Sub-Committee noted that the draft Community Use Agreement covered the use by the Mapledurham Recreation Ground Charity (the 'Charity') and its beneficiaries of the proposed school car park, MUGA, and school hall (including toilet and changing facilities), and provided details of hours when the facilities would be open and available for use by the public. The draft Community Use Agreement included the constitution of a proposed Community Use Committee that would monitor progress against agreed aims and targets, programming usage and financial matters and would put forward recommendations on policy issues. The proposed membership of the Community Use Committee would include the School, the Council and non-voting representatives from user groups. The Sub-Committee was informed that the policy should ensure that the School was able to provide the sport and community facilities on an affordable, cost-neutral basis, with prices similar to local authority-run facilities in the area.

The report advised that, following consideration of:

- the Landscape Master Plan and Options Report (Minute 5 below);
- the draft community use agreement;
- the regulatory advice from the Charity Commission dated 20 November 2017 (the 'Charity Commission Regulatory Advice') considered by the Sub-Committee on 9 January 2018 (Minute 8 refers); and
- the heads of terms and valuation report received by the Sub-Committee on 20 December 2016 (Minute 11 refers),

the Sub-Committee would need to decide whether the ESFA proposal offered the best option for enhancing the amenity value of the Ground for the benefit of the Charity's beneficiaries. The Sub-Committee was also advised that it should consider the Equality Impact Assessment implications, which were attached to the Landscape Master Plan and Options report at Appendix C (see Minute 5 below).

The Sub-Committee was advised that if it did decide that the ESFA proposal was its preferred option, then in order to implement the planning consent it would also be

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necessary for a Section 106 or unilateral undertaking to be entered into by the Council as Trustee of the Charity to enable the ESFA to carry out works on the site.

The report stated that if, having considered the position in the light of the legal advice set out in the report, the Sub-Committee decided in favour of disposal to the ESFA in accordance with the previously agreed heads of terms then it was recommended that officers be authorised to consult with the Charity Commission in relation to the basis for the proposed disposal and, after taking account into account any regulatory advice or guidance the Commission might have to offer, take all and any such steps as were required in order to facilitate such disposal.

The report stated that concerns have been expressed by some users of the Ground about the composition and role of the Mapledurham Playing Fields Management Committee. The report recommended that the officers institute a review of the remit and membership of the Management Committee and report back to a future meeting.

The Sub-Committee was advised that it could only properly consider the recommended actions set out within the report once it had considered the Landscape Master Plan and Options report and made a decision on its preferred option (Minute 5 below).

Resolved -

That the decision of the Local Planning Authority (LPA) to pass a resolution to grant planning consent for a new school at Mapledurham Playing Fields, subject to conditions; and the decision of the Secretary of State not to call in the determined planning application, be noted.

5. LANDSCAPE MASTER PLAN AND OPTIONS REPORT

The Head of Economic and Cultural Development presented a report noting that, at the meeting on 9 January 2018 (Minute 9 refers), the Sub-Committee had instructed officers:

- (1) to prepare a “masterplan” for the 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 Regulatory Advice on this point); and
- (2) 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 (also in line with the Charity Commission Regulatory Advice on this point).
[The three options were the status quo, the ESFA proposal, and the Fit4All proposal made by the Mapledurham Playing Fields Foundation].

The report presented the culmination of the work to develop the Landscape Master Plan prepared in accordance with the Sub-Committee’s instructions. The following documents were attached to the report:

- Appendix A - Landscape Master Plan - Mapledurham Playing Fields
- Appendix B - Report on Results of Mapledurham Playing Fields public consultation, *Have Your Say*, summer 2017

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- Appendix C - Equality Impact Assessment (revised 21 May 2018)
- Appendix D - User Report to Mapledurham Playing Fields Management Committee meeting, 29 May 2018
- Appendix E - WADRA Proposal to remedy the structural defects in Mapledurham Pavilion, in the sum of £35,000
- Appendix F - Response to Landscape Master Plan Consultation

The Sub-Committee was advised that the report and its recommendations would need to be considered in tandem with the update report on the planning decision and consultation on the Landscape Master Plan (Minute 4 above refers) in view of the interdependencies with regard to respective recommendations.

The Sub-Committee was advised that the Master Plan had been developed following and in accordance with the Charity Commission Regulatory Advice, namely that a Master Plan should firstly identify on an indicative basis how the ESFA lease premium could be applied if the ESFA proposal were to be accepted, and secondly inform an options report to evaluate the impact of three potential options on the amenity value of the Ground for the benefit of the Charity's beneficiaries.

The report explained that the Landscape Master Plan had been shared, on 14 May 2018, with organisations that historically had used the Ground, including the Pavilion. These included: the Warren & District Residents' Association, Caversham Treants Football Club, Mapledurham Lawn Tennis Club, Mapledurham Tennis Club, Magikats After-school, Soul Ball, Escape Toddler Group, Bridge Club, Spikey Club, 69th Reading Scout Group, Friends of Mapledurham Playing Fields, and Mapledurham Playing Fields Action Group.

The report explained the position with regard to the granting of planning permission for the Heights Free School and the associated Section 106 agreement for the payment of an additional £375,000 to mitigate negative impacts. The report stated that a resulting total of £1.735m was potentially available from the ESFA for mitigation and improvement works.

The Sub-Committee was advised that this figure was additional to the £85,000 of Section 106 funding which had previously been committed towards the Pavilion by the Council, which remained available. It was also in addition to the potential £35,000 from the Warren and District Residents Association and Mapledurham Action Group for repairs to the Pavilion to enable it to be reopened pending complete refurbishment.

The report outlined how the Master Plan might be implemented based on the resources available, informed by the results of the *Have Your Say* public consultation exercise, which had been undertaken with beneficiaries in the summer of 2017.

The report identified the various elements of the works as follows:

- mitigation works that were required to be undertaken should development proceed in accordance with the Planning Permission secured for the school and funded by the £375,000 of Section 106 planning gain;
- core enhancement, reflecting the results of the public consultation;

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- two options for the opening and improvement of the Pavilion;
- further works that could be carried out using the balance of resources available, which would be variable, dependent upon the option chosen for the Pavilion.

The report stated that the conclusion within the Master Plan was that, if implemented, the ESFA proposals would result in a clear net improvement to the overall amenity value of the Ground.

The report outlined the results of the consultation with user groups on the Master Plan and how these had been responded to. It also set out details of the preparatory and implementation works that would be required to deliver the Master Plan proposals.

The report outlined and evaluated the three potential options and restated the previous conclusion of the Sub-Committee that it did not necessarily see the Fit4All option and the ESFA proposal as mutually exclusive with regard to the Ground's longer-term management.

Resolved -

- (1) That having considered the Landscape Master Plan and the three options set out in the report in light of their respective positive and negative impacts on the amenity value of the Ground, the Sub-Committee considered that the ESFA proposal offered the best option to enhance the amenity value of the Ground for the Charity's beneficiaries, taking into account the Charity Commission Regulatory Advice and the provisions set out in the Landscape Master Plan at Appendix A of the report;
- (2) That the Landscape Master Plan for the Ground, at Appendix A of the report (subject to relocation of play area), be supported and adopted to form the basis for works to mitigate the impact of relocating the School to the Ground, and to enhance and improve the amenity value of the Ground in the best interests of the Charity and its beneficiaries;
- (3) That the mitigation works set out in paragraph 4.2 of the report be agreed and undertaken to offset the negative impact of the development of the School on the Ground, to be funded from the £375k payment made under the Section 106 Agreement;
- (4) That the improvement and enhancement works set out in paragraph 4.8 of the report be agreed and undertaken as a core improvement to the Ground within the Landscape Master Plan, in the sum of £332k to be funded from the £1.36M lease premium payable by the ESFA;
- (5) That with regard to the remainder of the ESFA's consideration payment, the Sub-Committee adopt Option B for the improvement of the Pavilion, as set out in paragraph 4.9 of the report;
- (6) That the following further improvements be funded and undertaken as identified in paragraph 4.12:
 - (a) installation of pedestrian lighting along the main path from Chazey Road towards the Pavilion;

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- (b) extension of the car park to support use of both the Pavilion and Ground by extending into the area north of the School site with reinforced turf/Grasscrete to allow the area to be used for occasional overflow parking;
- (c) extension of the Pavilion to provide two additional changing rooms to support use of the second adult pitch;
- (7) That any unspent funds be allocated to support funding applications to improve facilities by either the Council as Trustee or partner organisations; this could include new changing rooms, an artificial turf pitch, changing facilities or other recreational facilities and would allow further funding to be levered into improving facilities;
- (8) That the preparatory works set out in paragraph 4.20 of the report be agreed and undertaken;
- (9) That the Head of Legal & Democratic Services and Head of Economic & Cultural Development be authorised to procure and implement the mitigation and enhancement works within the funding limits set out in the report;
- (10) That it be noted that the mitigation and improvement works would require the closure of large sections of the Ground for the duration of the works;

In light of these decisions, and returning to consider the proposed actions in Agenda Item 6 (Minute 4 above refers), the Sub-Committee further

Resolved -

- (11) That a unilateral undertaking be entered into, to enable the Section 106 Agreement to be concluded, subject to heads of terms as envisaged by the Local Planning Authority;
- (12) That, taking into account the Heads of Terms for the proposed lease to the Secretary of State for Housing, Communities & Local Government, the Community Use Agreement and the property report prepared by Bruton Knowles, reported to the Sub-Committee's meeting on 20 December 2016, it be determined that the terms of the disposal by way of lease to the ESFA were the best which were reasonably obtainable for the Charity;
- (13) That the Head of Legal & Democratic Services be instructed to consult with the Charity Commission in relation to the basis for the proposed disposal to the ESFA and, after taking into account any regulatory advice or guidance from the Commission, be authorised to take all and any such steps as are required in order to facilitate such disposal; and
- (14) That the Head of Legal & Democratic Services be instructed to review the remit and membership of the Management Committee and to report back to the Sub-Committee on the options that could be adopted in relation to the composition of the Management Committee.

(The meeting started at 6.30 pm and finished at 7.39 pm).