

NORTH HERTFORDSHIRE DISTRICT COUNCIL
CABINET SUB-COMMITTEE (COUNCIL CHARITIES)

**MEETING HELD IN THE BROTHERHOOD HALL,
GERNON ROAD, LETCHWORTH GARDEN CITY
ON WEDNESDAY, 6 DECEMBER, 2017 AT 10.30 AM**

MINUTES

Present: *Councillors Councillor Bernard Lovewell (Chairman), Ray Shakespeare-Smith and Michael Weeks.*

In Attendance: *Ian Couper (Service Director - Resources), Howard Crompton (Service Director - Customers), Steve Geach (Parks and Countryside Development Manager), Marie Searle (Property Solicitor) and Ian Gourlay (Committee and Member Services Manager).*

1 ELECTION OF CHAIRMAN

RESOLVED: That Councillor Bernard Lovewell be elected as Chairman of the Sub-Committee for the remainder of the 2017/18 Civic Year.

2 MINUTES - 12 DECEMBER 2016

RESOLVED: That the Minutes of the Meeting of the Sub-Committee held on 12 December 2016 be taken as read, approved and signed by the Chairman.

3 NOTIFICATION OF OTHER BUSINESS

There was no notification of other business.

4 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

5 PUBLIC PARTICIPATION

There was no public participation.

6 ANNUAL ACCOUNTS AND RETURNS FOR COUNCIL ADMINISTERED CHARITIES

The Head of Finance, Performance and Asset Management presented a report seeking the Sub-Committee's agreement to the returns to the Charities Commission of the four charities/charitable trusts administered by NHDC: the Hitchin Town Hall Gymnasium and Workman's Hall Trust; King George's Fields Trust; Smithson Recreation Ground Trust; and Hertfordshire Yeomanry and Artillery Collection. He advised that the returns for the 2016/17 financial year needed to be submitted by 31 January 2018 to accord with the requirements of the Charities Commission.

The Head of Finance, Performance and Asset Management explained that the accounts and draft annual return for the Hitchin Town Hall Gymnasium and Workman's Hall Trust were attached at Appendix 1 to the report. The building had remained closed during 2016/17 due to the completion of the refurbishment works. There were issues with the fit out of the Museum, as the original contractor went into liquidation, and the ongoing dispute between the Council and Hitchin Town Hall Limited regarding the ownership of 14/15 Brand Street. Appendix 4 to the report was the one report to Cabinet on Hitchin Town Hall submitted in March 2017.

The Head of Finance, Performance and Asset Management referred to the 2016/17 accounts for the Hitchin Town Hall Gymnasium and Workman's Hall Trust, and explained that the balance sheet showed a substantial increase in the value of the building, due its status as a refurbished building and that fact that it not been valued for some time due to the building works. In response to a Member's question, he confirmed that Business Rates were paid by the Trust, but that this was at an 80% reduction, due to the Trust's charitable status.

The Head of Finance, Performance and Asset Management summarised the activities of the King George's Field, Hitchin Trust over the 2016/17 financial year. The site owned by this charity had been maintained open and accessible for public use during the course of this year. Work had continued to facilitate the activities of the Hitchin Rugby Club and other partners on the site. Maintenance work undertaken on site had included grass cutting, maintenance of the playground, litter collection, weed control and renovation of the sports pitches post season. There had not been any changes to the lease arrangements on site.

The Head of Finance, Performance and Asset Management stated that the accounts and draft annual return for King George's Field, Hitchin were attached at Appendix 2 to the report.

The Head of Finance, Performance and Asset Management advised that there had been expenditure on the pavilion and car park during 2016/17. As these generally related to property owned and operated by the Rugby Club, this was shown as revenue expenditure in the accounts and was the reason why the overhead costs for the year were shown as £61,000. As the income figure exceeded the £25,000 threshold, authority was sought for an independent review of the accounts by the Shared Internal Audit Services (SIAS).

In relation to a discussion regarding the car park area, the Trust Lawyer advised that the freehold of the Pavilion was held by the Council, with a 99 year lease to the Rugby Club, and the Club had obligations under the lease to pay towards the cost of any repairs to the car park. Upon a Member's request, she undertook to provide Sub-Committee Members with a copy of the lease, in order to familiarise them with the various obligations of the Council and Rugby Club set out therein.

The Head of Finance, Performance and Asset Management summarised the activities of the Smithson Recreation Ground Trust over the 2016/17 financial year. Following a public consultation, in 19 December 2016, the Charity Commission ordered a scheme to vary the purpose of this charity so that, rather than restricting the use of the land to use by girls, women and boys under 5, the purpose was now for the provision of a recreation ground for the benefit of Hitchin. Pursuant to this, the charity had continued to work to maintain the recreation ground, keeping it open and accessible for public use and benefit. The planned refurbishment works were completed during the 2016/17 financial year which resulted in resurfacing of the footpaths, the installation of new benches signage and interpretation, tree planting and renovation of shrub borders.

The Head of Finance, Performance and Asset Management advised that the accounts and draft annual return for the Smithson's Recreation Ground, Hitchin were attached in the amended Appendix 3 to the report tabled at the meeting. Reflected in the accounts was the cost of the refurbishment works referred to above.

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The Head of Finance, Performance and Asset Management informed the Sub-Committee that, consistent with charity's purpose of advancing the education of the public in the traditions of the Hertfordshire Yeomanry and Artillery, the Museum Service had placed key items from the Yeomanry Collection on display in the new North Hertfordshire Museum. The remainder of the collection was in storage, and shown to the public on request. There had been no income or expenditure in 2016/17. No issues had arisen during the course of the year that had required consideration of the public benefit test.

RESOLVED:

- (1) That the information required by the Charities Commission for the four registered charities, as set out in the report and appendices 1, 2 and 3 of the report, be approved, so that returns can be submitted prior to the January 2018 deadline; and
- (2) That the requirement for those charities with gross income of more than £25,000 in any financial year to have their accounts independently examined be noted, and that as this applies to King George's Field for 2016/17, the examination of those accounts be undertaken by the Shared Internal Audit Service (SIAS).

REASON FOR DECISION: To facilitate the submission of approved returns to the Charities Commission.

The meeting closed at 11.00 am

Chairman