

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE KING GEORGE'S FIELD CHARITY BOARD

HELD AT 7.07 P.M. ON WEDNESDAY, 26 OCTOBER 2022

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Mayor Lutfur Rahman	(Chair of the Trust)
Councillor Maium Talukdar	(Deputy Mayor and Cabinet Member for Education, Youth and Lifelong Learning (Statutory Deputy Mayor))
Councillor Kabir Ahmed	(Cabinet Member for Regeneration, Inclusive Development and Housebuilding)
Councillor Ohid Ahmed	(Cabinet Member for Safer Communities)
Councillor Saied Ahmed	(Cabinet Member for Resources and the Cost of Living)
Councillor Suluk Ahmed	(Cabinet Member for Equalities and Social Inclusion)
Councillor Gulam Kibria Choudhury	(Cabinet Member for Health, Wellbeing and Social Care)
Councillor Iqbal Hossain	(Cabinet Member for Culture and Recreation)
Councillor Kabir Hussain	(Cabinet Member for Environment and the Climate Emergency)

Apologies:

Councillor Abu Chowdhury	(Cabinet Member for Jobs, Skills, and Growth)
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Officers Present in Person:

Kevin Bartle	(Interim Corporate Director, Resources & Section 151 Officer)
Catherine Boyd	Head of Arts, Parks, and Events
Paul Sammut	Parks Engagement and Projects officer
Stephen Shapiro	(Acting Director of Property and Major Programmes)
Richard Ward	(Interim Head of Contracts and Procurement)
Kay Goodacre	(Head of Strategic Finance, Children & Culture)
David Knight	(Democratic Services Officer, Committees, Governance)

1. DECLARATIONS OF INTERESTS

None were declared.

2. MINUTES OF THE PREVIOUS MEETING(S)

That the unrestricted minutes of the Board meeting held on 6th July, 2022 be approved for signature by the Chair of the Trust as a correct record of proceedings.

3. UNRESTRICTED REPORTS FOR CONSIDERATION

3.1 GOVERNANCE REPORT

A report was received that provided an update of a review by the Council's legal team of the governance arrangements for King George's Field (Mile End) charity. A summary of the discussions is outline below:

The Board:

- ❖ **Noted** that the Council has undertaken a review of the governance arrangements on behalf of the King George's Field Trust.
- ❖ **Noted** that there are two King George's Fields charities, both of which are registered with the Charity Commission: (1) The King George's Field, Mile End charity, registered number 1077859 ("the Mile End charity"); and (2) the King George's Field – Stepney (Tredegar Square, Bow) charity, registered number 1088999 ("the Tredegar Square charity"). The Council is the sole trustee of both charities pursuant to the governing documents detailed in this report.
- ❖ **Noted** that on 28 February 2000, the Charity Commissioners for England and Wales ordered under the Charities Act 1993 that the charity known as King George's Field, Mile End, at Stepney in the London borough of Tower Hamlets be administered according to a specified scheme ("the 2000 Scheme").
- ❖ **Noted** that the 2000 Scheme refers to the objectives of the Fields in Trust, those objectives have now been updated and it is therefore desirable for the 2000 Scheme to be amended to reflect these changes. Furthermore, there may be a requirement to make additional amendments to the 2000 Scheme.
- ❖ **Noted** an overview of the key findings that have informed the recommendations that have been made for consideration by the Board.
- ❖ **Reviewed** the summary of recommendations (**Appendix 1**) to agree which of the recommendations should be applied and sanction Director of Legal and Corporate Director of Children and Culture to progress these recommendations.
- ❖ **Agreed** that once it has been decided which recommendations detailed in **Appendix 1** are to be taken forward it would then **(i)** apply to the Charity Commission to change the King George's Field Mile End "2000 Scheme"; **(ii)** authorise the Corporate Director of Children and Culture and the Director of Legal to apply to the Charity Commission to change the King George's Field Mile End "2000 Scheme".

The Chair of the Trust then **Moved** and it was:-

RESOLVED to:

1. **Review** the summary of recommendations (**Appendix 1** of the report refers) to decide which of the recommendations should be implemented and authorise Director of Legal and Corporate Director of Children and Culture to progress these recommendations.

The Board agreed to the following actions regarding each of the recommendations/advisory notes:

KGF1 – reviewed and noted

KGF2 – did not authorise the merging of the two charities. However, the Board reviewed and authorised the Director of Legal to apply to the Charity Commission for a uniting direction if required for administrative and financial purposes.

KGF3 - reviewed and noted

KGF4 – reviewed and not approved

KGF5 – reviewed and no additional/separate delegation to be given to officers. Current Council scheme of delegation to be applied to the Charity. Approval to be sought from the Charity Commission to allow for an amendment of the “2000 Scheme”.

KGF6 - reviewed and noted

KGF7 – reviewed and authorised the Director of Legal and Corporate Director of Children and Culture to apply to the Charity Commission for an amendment of the “2000 Scheme” in relation to the charitable objectives

KGF8 - reviewed and noted

KGF9 – reviewed and not approved

2. **Authorise** the Corporate Director of Children and Culture and the Director of Legal to apply to the Charity Commission to change the King George’s Field Mile End “2000 Scheme” when it is known which recommendations referred to in **Appendix 1** are to be taken forward.
3. **Note** and had regard to, the Charity Commission’s Public Benefit Guidance (**Appendix 2** of the report refers).

3.2 FINANCE AND ACTIVITY REPORT

A report was considered that provided an update on the audited accounts submission, the current financial position for King George’s Field Trust (KGFT) and an update on the charitable activities conducted to date this year. The report also provides an update on grant funding from Fields in Trust.

The Board:

- ❖ **Noted** that the King Georges Fields Charity Board (the Board) charity is registered with the Charity Commission as King Georges Field, Mile End Charity, registered number 1077859.
- ❖ **Noted** that **(i)** if the Board does not receive updates for consideration this would go against the expectations of the Charity Commission; and **(ii)** to not agree in principle to the grant from Fields in Trust it would remove an opportunity to improve to use the funds for the maintenance, equipping and improvement of, or the provision of facilities for, any playing field situated in the London Borough of Tower Hamlets and styled “King George’s Fields”. **(iii)** it was Noted by the Board that Fields in Trust funds will have restrictions as to how they can be spent. The funds are strictly limited for use on improvements on Mile End Park and Stepney Green Park. Any alternative scheme would need to be formally agreed with Field in Trust before the grant could be received.
- ❖ **Noted** The Council is the trustee of the Charity, and the Council is the freehold owner of the land which is subject to this report.
- ❖ **Noted** that the Board is established by the Council’s Constitution, which gives the Board the following functions to **(i)** administer the affairs of the King Georges Fields Charity and discharge all the duties of the Council as sole trustee of the Charity; and **(ii)** administer the affairs and discharge the duties of trustee of such other charities controlled by the Council as the Cabinet might authorise by resolution.
- ❖ **Noted** that any decision to accept the allocation of resources via a contribution from Fields in Trust is required from the Board.
- ❖ **Noted** that the major items of income and expenditure are **(i)** Income - the major income items are commercial rents generated from shop lettings at Mile End Park and the hire of the Arts and Ecology Pavilions. Additional income is generated through Stepney Green astroturf pitch bookings and a corporate volunteer programme; and **(ii)** Expenditure – the main expenditure items relate to: **(a)** Salaries – this covers the cost of the Parks Service staff who manage the facilities and provide activities, **(b)** Repairs and maintenance – including the cost of all repairs to buildings, trees and fences, and grounds maintenance costs.

The Chair of the Trust then **Moved** and it was:-

RESOLVED to

- a) **Note** the submission of the audited accounts 2020/21 and annual report 2020/21 to the Charity Commission
- b) **Note** the forecasted financial position of King George’s Fields Trust for 2022/23
- c) **Note** the 2022 activity programme update.
- d) **Approve** the transfer of funds from Fields in Trust (as a grant) to King George’s Fields Trust to support the maintenance, equipping and improvement of, or the provision of facilities in Stepney Green Park or Mile End Park. However, the Board **agreed** that the grant would not be used to fund additional five-a-side astroturf facilities at Stepney Green Park.

4. EXCLUSION OF THE PRESS AND PUBLIC

The Chair of the Trust then **Moved** and it was:-

RESOLVED

That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.

5. EXEMPT REPORTS FOR CONSIDERATION

5.1 LEASES REPORT

A report was received that **(i)** provided an update on the lease arrangements for the King George's Field Trust (KGFT) retail and rental units, income from which supports the Charity to maintain park land and amenities for the benefit of Tower Hamlets residents; **(ii)** sought separate decisions from the KGFT Board regarding the renewal of a Green Bridge Shop unit, the renewal of a Mile End Park lease and to consider whether a Green Bridge lease should be re-gearred; and **(iii)** provided an update on a Green Bridge unit that has breached its lease and the potential extension of a services contract with external agents who manage the Green Bridge tenants on behalf of Asset Management.

The Board:

- ❖ **Noted** that King George's Fields Trust (KGFT) Board should consider its charity's responsibilities as landlord of the Green Bridge retail and other commercial units. This includes ensuring that all statutory requirements are met.
- ❖ **Noted** that the Board has to act in the best interest of the Charity and to consider Public Benefit when taking a decision as detailed in **Appendix 2** of the report.
- ❖ **Understood** that decisions from the Board on several leases is requested in order for the Council's Asset Management team to be able to instruct lawyers and the external agents to enter into a new lease with "**Tenant A**," "**Tenant B**," and "**Tenant C**."
- ❖ **Noted** that **(i)** the Board is requested to consider the lease breaches by a tenant and give authority to council officers to be able to take forfeiture action against the tenant if they fail to comply with the current Section 146 notices that have been issued to them; and **(ii)** the current external letting management agent is contracted by the Council's Asset

Management team to oversee management arrangements for retail units on behalf of Board and the Housing Revenue team.

The Chair of the Trust then **Moved** and it was:-

RESOLVED to

1. **Not give** authority to the Corporate Director of Children and Culture and the Corporate Director for Place to enter into and conclude the renewal of the lease with "Tenant A" on the terms proposed by the tenant in restricted Appendix 3.3. **The Board instructed** that matters were to be resolved by way of Statutory dispute resolution. The additional cost implications of taking matters to further dispute resolution were **noted** by the Board.
2. **Note** the position of the discussions for the lease renewal with "Tenant B" and the Board advised they would want a term of five years.
3. **Not give** authority to the Corporate Director of Children and Culture and the Corporate Director for Place to authorise the re-gear of the lease with "Tenant C" but **Gave authority** to document the rent review at the passing rent.
4. **Note** the update provided in exempt **Appendix 1** regarding lease breaches by "Tenant D" and authorised the Corporate Director of Children and Culture and the Corporate Director for Place to take forfeiture action against these breaches if they are not resolved, and then market the property as appropriate.
5. **Grant** approval of an optional one-year extension with the external management Contractor to continue to oversee letting management arrangements on behalf of the Council and KGFT.
6. **Authorise** the Chair of King George's Fields Trust to review Lease Agreements on behalf of the Board prior to any formal decisions being made by the Board.

6. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

With no other business to discuss the Chair of the Trust called this meeting to a close and thanked the Members and Officers of the Board for their contributions to this evening's discussions.

The meeting ended at 7.43 p.m.

The Chair of the Trust (**Mayor Lutfur Rahman**)
King George's Field Charity Board