



*Castle House
Great North Road
Newark
NG24 1BY*

Tel: 01636 650000

www.newark-sherwooddc.gov.uk

Chairman: Councillor Mrs R Crowe

Voting Members:

Councillor M Cope

Non-Voting Members:

Councillor R Crowe
Councillor J Kellas
Councillor D Lloyd
Councillor M Skinner

AGENDA

MEETING: Trustee Board of the Gilstrap and William Edward Knight Charities

DATE: Thursday, 5 May 2022 at 6.00 pm

VENUE: Civic Suite, Castle House, Great North Road, Newark NG24 1BY

You are hereby requested to attend the above Meeting to be held at the time/place and on the date mentioned above for the purpose of transacting the business on the Agenda as overleaf.

If you have any queries please contact Helen Brandham on helen.brandham@newark-sherwooddc.gov.uk.

Page Nos.

1. Apologies for Absence
2. Declarations of Interests from Members and Officers
3. Declaration of Intention to Record the Meeting
4. Minutes of the Meeting held on 11 January 2022 4 - 7
5. Land Off Cedar Avenue/Lincoln Road, Newark - Update 8 - 9
6. Urgency Item - Newark R&M Cricket Club Project 10 - 16
7. Promotion of the Trust 17 - 18

CONFIDENTIAL AND EXEMPT ITEMS

8. Exclusion of Press and Public

To consider resolving that, under section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.
9. Land Off Cedar Avenue/Lincoln Road, Newark - Update (Exempt Appendix) 19 - 20
10. Date of Next Meeting

NEWARK AND SHERWOOD DISTRICT COUNCIL

Minutes of the Meeting of **Trustee Board of the Gilstrap and William Edward Knight Charities** held in the Civic Suite, Castle House, Great North Road, Newark NG24 1BY on Tuesday, 11 January 2022 at 6.00 pm.

PRESENT: Councillor Mrs R Crowe (Chairman)

Councillor M Cope, Councillor K Girling, Councillor L Goff, Councillor S Haynes, Councillor R Crowe, Councillor J Kellas and Councillor M Skinner

APOLOGIES FOR ABSENCE: Councillor D Lloyd

25 DECLARATIONS OF INTERESTS FROM TRUSTEES

NOTED that the following voting Members declared an interest in Agenda Item No. 5

Councillor Rita Crowe as elected Member of Beacon Ward
Councillor Keith Girling as elected Member of Castle Ward

that the following non-voting Member declared an interest in Agenda Item No. 5

Councillor Mathew Skinner as elected Member of Beacon Ward

26 DECLARATION OF INTENTION TO RECORD THE MEETING

The Chairman advised that the meeting was being recorded and livestreamed by the Council on social media.

27 MINUTES OF THE MEETING HELD ON 19 OCTOBER 2021

AGREED that the Minutes of the Meeting held on 19 October 2021 be approved and signed by the Chairman as a correct record.

The Trustees noted an update with reference to Minute No. 20 – Trust Accounts for the Financial Year Ending 31 March 2021.

The Gilstrap Accounts for the financial year ended 31 March 2021 were subject to an independent examiner's report. The Assistant Business Manager – Financial Services had advised that the accounts were audited with no changes.

28 APPLICATION FOR FUNDING - NEWARK CASTLE EVENTS

The Chairman advised the Trustees that this item related to a funding application from the District Council. As all Trustees are District Councillors having all received training and understand when sitting as Members of the Trustee Board that their duty is to consider the best interests of the Trust and whether the funding application meets the objectives of the Trust.

The Trustees considered the report presented by the Clerk to the Trustees to consider an application made to the Gilstrap Charity for grant funding to support the Newark Castle Comes to Life Events in 2022.

The application informed the Trustees that there would be 3 public events planned in 2022 to interpret and enhance the stories of Newark Castle. These events to include live performances of drama and music, demonstrations such as sword-fighting and falconry, castle tours, outdoor crafts such as willow weaving and woodturning and fun activities for people of all ages.

The overarching objectives of the festival are:

- To promote enjoyment of Newark Castle and Victorian Gardens as a free, safe, outdoor venue in the wake of the pandemic
- To educate local residents and tourists about 900 years of history at Newark Castle

The Trustees were provided with the application form at Appendix B noting that the organiser was looking to secure funding in the sum of £5,930.00.

AGREED (unanimously) that the Board had considered and determined the application received from the Heritage & Culture Business Unit of Newark & Sherwood District Council and that it be approved.

29 CEDAR AVENUE UPDATE

CEDAR AVENUE UPDATE

The Trustees considered the verbal report presented by the Clerk to the Trustees which provided an update on progress since the Board’s last meeting in October 2021.

The Clerk distributed to those present a minute from the Finance & General Purposes Committee of the Town Council, as provided below:

FGP34/21/22	Land off Cedar Avenue
	<p>Prior to discussion of the item Cllr Mrs R Crowe and Cllr L Goff declared a prejudicial interest and left the meeting.</p> <p>The Town Clerk advised that it was then AGREED that all the N&SDC Councillors still present were non-voting members of the Gilstrap Trust.</p> <p>Cllr Mrs G Dawn said that she was delighted to see this report. She informed Members that she was looking forward to the Town Clerk having a dialogue with the people that had formed a community group who had some ideas for this site. It would be good to work closely with them.</p>

	(i)	Members CONSIDERED, in principle, the purchase of the land off Cedar Avenue for the purpose of public open space.
	(ii)	In view of (i) above, Members AGREED to recommend to the Town Council the purchase of the Cedar Avenue site.
	(iii)	Members then also AGREED to recommend to the Town Council the approval of a supplementary capital budget of £45,000 from the Town Council's Capital Receipts account.

The Clerk also confirmed that quotations for charities law advice, to ensure the Trustee Board meets its obligations in the event the land is sold, had been obtained. A report would be brought to the next meeting of the Trustee Board.

AGREED (unanimously) that the Trustee Board noted the verbal update and that having instructed the external legal advisors an update be brought to the next meeting.

30 NEWARK R&M CRICKET CLUB PROJECT - UPDATE

The Trustees considered the verbal report presented by the Clerk to the Trustees which provided an update since the Board's last meeting in October 2021.

The Clerk distributed to those present a copy of a letter from Newark R&M Cricket Club addressed to the Clerk to the Trustees on behalf of the W.E. Knight Trust.

The letter provided an update on the progress of Newark R&M Cricket Club's Ground Development Project having invited several local companies to tender for the changing room construction works. They advised they had received three responses but all three exceeded the current amount of available funding.

The Quantity Surveyor assisting the Club had provided a report having evaluated the difference between the estimated figures and final tender returns. It was concluded that most of the difference was due to the industry wide increase in building costs, as well as additional costs associated with the access and foundation requirements.

The Club will look at additional funding sources and cost reductions, by planning to meet with the company who provided the most affordable tender as soon as possible to discuss how savings could be made. The Club thanked the Trust for its patience and that any further detail could be provided if required.

AGREED (unanimously) that the report be noted.

31 DATE OF NEXT MEETING

AGREED (unanimously) that the date of the next meeting be held on:

Tuesday, 5 April 2022 @ 18:00 hours

A Trustee requested for the next meeting a report be provided to promote how to apply for funding as not many applications are received. To also consider updating the website enabling greater publicity going forward.

Meeting closed at 6.19 pm.

Chairman

TRUSTEE BOARD OF THE GILSTRAP AND WILLIAM EDWARD KNIGHT CHARITIES

5 MAY 2022

LAND OFF CEDAR AVENUE/LINCOLN ROAD, NEWARK - UPDATE

1.0 Purpose of Report

1.1 To update the Trustee Board on progress since the Board's last meeting on 11 January 2022.

2.0 Background Information

2.1 On 4 March 2021 the Trustee Board considered future options for the land owned by the Gilstrap Charity at Cedar Avenue/Lincoln Road, Newark (the Land). The Board resolved to seek to have the Land designated as public open space and to approach the District and Town Councils for expressions of interest in acquiring the Land.

2.2 On 19 October 2021 a valuation of £45,000, based on the Land being sold as public open space, was reported to the Trustee Board.

2.3 The Trustee Board was provided with a verbal update on 11 January. This confirmed that Newark Town Council had approved, in principle, the purchase of the Land. Further, that charities law advice regarding the potential land disposal was being obtained on behalf of the Council as Trustee to the Charity.

3.0 Update and Proposals

3.1 Legal advice was received on 22 March. A summary of key points is provided in the exempt appendix in order to maintain legal privilege.

3.2 In order to proceed with the proposal to sell the Land to the Town Council, the following steps will need to be taken prior to contracts being signed:

- Approach the Charity Commission for consent for the disposal and to assist with managing any potential conflicts of interest
- Consult with the Gilstrap/Macrae family prior to any sale, or undertake a public consultation if that is not possible
- The Charity Commission may require the Charity to commission a further, updated, surveyor's report

3.3 It is proposed for the Trustee Board to instruct the Clerk to the Trust to instruct external legal advisors to make the necessary submission to the Charities Commission. It is estimated that an initial response would be received within 1-2 months; the whole process could take up to a year.

3.4 In the meantime, further discussions should be held between the Town Council regarding the terms of any transfer, including the need for an overage clause in relation to any future development.

3.5 The Trustee Board will be interested to note that on 23 March 2022 the District Council's Economic Development Committee considered a report on the Allocations & Development

Management Development Plan Document and the outcome of the summer 2021 consultation. It approved the following:

- That consideration of consultation responses received in relation to NUA/Ho/3 (the Gilstrap Trust's Land) that the Council's approach will be to deallocate the site as a housing allocation.
- A timetable which envisages Full Council will consider a Draft DPD in July 2022 and publish this for a period of public representation in during summer 2022.

4.0 Financial Implications

4.1 The Trust will incur legal costs in relation to making a submission to the Charity Commission. A quote will be obtained. There are no fees for the application itself. If an additional survey is required that will cost in the region of £2,500 plus VAT. There may also be some costs, of around £200, for legal notices.

5.0 RECOMMENDATION

That a submission is made to the Charity Commission in respect of the potential disposal of Land off Cedar Avenue/Lincoln Road, that discussions with the Town Council continue, and that further update reports are brought to the Trustee Board as required.

Background Papers

Nil

For further information please contact Sue Bearman on 01636 655935 or sue.bearman@newark-sherwooddc.gov.uk.

Sue Bearman
Assistant Director - Legal & Democratic Services Newark & Sherwood District Council
Clerk to the Gilstrap Trust

URGENCY ITEMS - MINUTE OF DECISION

Delegation arrangements for dealing with matters of urgency

Paragraph 7.2.1 of the Council's Constitution provides that Chief Officers may take urgent decisions if they are of the opinion that circumstances exist which make it necessary for action to be taken by the Council prior to the time when such action could be approved through normal Council Procedures. They shall, where practicable, first consult with the Leader and Chairman (or in their absence the Vice-Chairman) and the Opposition Spokesperson of the appropriate committee.

Subject: Newark R&M Cricket Club Project

Appropriate Committee:

Trustee Board of the Gilstrap and William Edward Knight Charities

Details of Item (including reason(s) for use of urgency procedure):

The meeting of the Board of Trustees for the Gilstrap & WE Knight Charities was cancelled on Tuesday 5 April due to a high number of absences. The Board were due to consider the report which is attached as an appendix to this urgency item.

The Cricket Club has since contacted the Clerk to the Board to request that a decision on this report is taken as soon as possible. The Club is facing the challenge of confirming the relevant contract urgently to secure the current price for the main bulk of the materials. Prices are going up and based on the suppliers update the cost will increase by a further £12,000. Our understanding is that the contractor has said that if the order is placed without delay, the supplier will honour the quote.

Financial Implications

The current unallocated reserve balance for the trust is £27,250.57. It is recommended that £27,000 of the balance is offered to the Club with the remainder, as per para 3.4, be left to cover any administration costs for winding-up the Charity.

Decision

To offer the balance of the unallocated reserve of £27,000 to the Newark R&M Cricket Club in respect of their ground development project in accordance with paragraph 3.4 of the report.

Reason for Urgency

To ensure the development can proceed within the current costing envelope as any delay would result in additional costs.

Members Consulted:

Councillor Mrs Rita Crowe – Chairman
Councillor Max Cope (Voting Member)
Councillor Keith Girling (Voting Member)
Councillor Laurence Goff (Voting Member)
Councillor Simon Haynes (Voting Member)
Councillor David Lloyd –Leader of the Council

cc (Non-Voting Members) for information
Councillor Robert Crowe
Councillor Jack Kellas
Councillor Mathew Skinner

Signed

A handwritten signature in black ink, appearing to read 'Sanjiv Kohli', enclosed within a hand-drawn oval shape.

Sanjiv Kohli
Deputy Chief Executive, Director of Resources and S151 Officer

Date: 8 April 2022

TRUSTEE BOARD OF THE GILSTRAP AND WILLIAM EDWARD KNIGHT CHARITIES

5 APRIL 2022

NEWARK R&M CRICKET CLUB PROJECT - UPDATE

1.0 Purpose of Report

- 1.1 To provide an update on progress made by Newark R&M Cricket Club in respect of their Ground Development Project.

2.0 Background Information

- 2.1 The Board will be aware that the redevelopment of the former RHP Sports & Social Ground resulted in the loss of the cricket pitch. In order to satisfy Sport England's Planning Policy requirements it was agreed to provide a replacement pitch in a timely manner to mitigate this loss.
- 2.2 The District Council has been working in partnership with Newark R&M Cricket Club (the Club), the English Cricket Board (ECB) and Newark Town Council to develop a phased scheme, which would deliver the replacement pitch and associated infrastructure at the Club's Kelham Road site.
- 2.3 Phase 1 of the project is complete and Phase 2 involves the provision of new changing rooms. The changing rooms have been designed in accordance with the technical requirements of the ECB and Sport England in order to ensure that the building is both accessible and compliant with current regulations.
- 2.4 In terms of funding Phase 2 of the project, the Trustee Board has initially approved grant funding of £100,000 towards this from the WE Knight Charity. The rest of the funds required to deliver Phase 2 is made up of a mix of funding from Newark Town Council, NCC, other funding partners and Club funds.
- 2.5 At its meeting of 2 October 2020 the Trustee Board resolved to approve a request for further funding of £13,134 towards the installation of a platform lift for the changing room building to make it accessible.

3.0 Update

- 3.1 A verbal update was provided at the last meeting of the Trustee Board in January. Several local companies had been approached to tender for the changing room construction works. The Club had received three responses but all three exceeded the current amount of available funding. The Club advised that it was exploring additional funding sources and cost reductions.
- 3.2 The Club has now provided a further update. Due to the design and siting requirements for the project the cost envelope is significant, and the costs of materials continues to rise. Costs have risen by approximately £20,000 since the last estimate which has in effect nullified the savings identified through the value engineering exercise that has been carried out. The Club therefore considered at a meeting on 23 March whether to continue with the project. The Club has decided that in the interim it will seek to deliver the new pavilion as a shell building, and then seek to secure additional funding to complete the project. The rationale for this is that costs are only likely to increase in

the short to medium term, and that postponing the project will only perpetuate the gap funding challenge. The District Council is working with the Club to identify other options for further funding.

3.3 The Club has requested that the Trustee Board contributes additional funding to the project. Its aim is to secure sufficient funding to reduce the funding gap to an amount that can be secured with a manageable loan. The Club's letter dated 23 March 2022 is attached as the **Appendix** to this report.

3.4 It is proposed that the Trustee Board grants the balance of the unallocated reserve held by the WE Knight Charity to the Club, subject to the retention of a sufficient sum to cover any administrative costs for winding-up the Charity as a result of the whole endowment being spent. In the event the Club was ultimately not able to proceed with the project the grant funding would not be required; therefore action would not be taken to wind-up the Charity until confirmation was received that the project was to commence contractually and accordingly all WE Knight monies would be committed to and spent on progressing phase one of the build to deliver the shell of the changing rooms.

4.0 Financial Implications

4.1 The current unallocated reserve balance for the trust is £27,250.57. It is recommended that £27,000 of the balance is offered to the Club with the remainder, as per para 3.4, be left to cover any administration costs for winding-up the Charity.

5.0 RECOMMENDATION

That the Board note the update regarding the Newark R&M Cricket Club project and consider their request for further funding.

Background Papers

None

For further information please contact Sue Bearman on 01636 655935 or sue.bearman@newark-sherwooddc.gov.uk.

Sue Bearman
Assistant Director - Legal & Democratic Services

NEWARK R&M CRICKET CLUB



EST . 2010

23 March 2022

by email

Dear Ms Bearman (on behalf of the W.E. Knight Trust)

I am writing regarding Newark R&M Cricket Club's Ground Development Project, which the W.E. Knight Trust kindly committed to support financially.

In January, I advised the Club was managing a funding gap which emerged in the Project; largely due to the rapidly rising costs of building materials, as well as the complex engineering required to construct safe foundations on a site that is highly-vulnerable to flooding.

The Club currently has around £210,000 committed to the Project from the W.E. Knight Trust, Newark Town Council and Nottinghamshire County Council's Local Improvement Scheme. Following our initial tender, we were quoted various figures to complete the work fully in November 2021, of which the lowest was £290,640.84 (excluding VAT, which is payable by the Club) from a local contractor.

Since then, we engaged directly with that contractor to explore possible savings, while simultaneously exploring additional funding from third- parties. We have identified several such opportunities, although these will not be available in the immediate future. Unfortunately, during this time material costs have continued to rise dramatically. We have already seen an increase even since our initial quote, which almost consumes the savings identified.

Therefore, out of necessity, we are now proposing to approach the Project in two phases. The first will involve construction of the building and foundations itself, but omits other furnishings, fittings, M&E and external

—
KELHAM ROAD,
NEWARK-UPON-TRENT, NOTTINGHAMSHIRE
NG24 1BX



Agenda Page 14

Proud to be a *Clubmark* accredited Club.



works/drainage. This first phase of 'shell-only' construction is almost realisable within our current budget, inclusive of VAT and the recent increases in market prices. It will allow completion of the most expensive part of the works at current rates.

The Club will then continue to obtain funding for the remaining parts. We are confident we can achieve this, otherwise we would not be embarking upon an approach that will necessarily involve such a significant amount of further work and responsibility on the part of the Club. We are already exploring partnership funding with another local sports organisation and are aware of other opportunities likely to present themselves over the coming years.

We also anticipate a better prospect of internal fundraising with a tangible building in place and a more modest financial objective. However, we do not wish to delay construction any further while material prices continue to increase and consider this is the most cost-effective way to proceed.

We recognise that in 2016, when we first agreed the arrangements for this Project after the redevelopment of Elm Avenue, we planned to use the money to construct the changing room building in its entirety. We are deeply disappointed this has not been possible. Nevertheless, we have acted in the interests of delivering a sustainable and 'future-proofed' Project, without compromising safety or security. This has been led by a volunteer base who have grappled with the complex geography of the site, planning requirements and numerous global events, which have seriously frustrated our progress.

Therefore, we would be grateful for your continued support with our proposal and your permission to release the money kindly pledged to complete Phase 1 of the Project, as described. Noting there remains a balance of unallocated reserves in the W.E. Knight Trust Fund, we would also be grateful if you would consider making a further commitment of those funds. At present, we do remain under-budget even for Phase 1, but this further amount would close the gap and allow us to proceed immediately, subject to the assent of the other funding contributors (to whom we have also written).



Without that funding, we would remain determined to proceed and will seek an ECB loan, although we are concerned this is likely to take some time to administer and may take us beyond the expiry of our current quotation. If so, our approach could be jeopardised.

We are mindful of the generous commitment you have made and we have promised transparency and engagement to our donors. I understand you are meeting soon and I wonder if there would be a benefit to me attending that meeting. As always, I am more than happy to provide any further information you require or answer any questions you may have.

I look forward to hearing from you further. Yours sincerely,

Luc Chignell

Chairman

Newark R&M Cricket Club

TRUSTEE BOARD OF THE GILSTRAP AND WILLIAM EDWARD KNIGHT CHARITIES

5 MAY 2022

PROMOTION OF THE TRUST

1.0 Purpose of Report

1.1 To update Members on actions being taken to increase awareness of the Gilstrap Trust and its grant funding offer.

2.0 Background Information

2.1 At recent meetings where grant funding applications have been considered, Members of the Trustee Board have questioned whether the Trust and its grant funding offer, has sufficient profile. It has also been noted that the Trust website requires some updating.

2.2 Officers have now drafted the necessary updates to the website, and at the time of writing these are in the process of being implemented.

3.0 Proposals

3.1 The District Council has offered to provide a link to the Trust's website on its Community Funding web pages. [The Town Council has also offered to provide a link on its website.] It is proposed that the Trustee Board approves these changes with the aim of raising awareness of the Trust and its offer.

3.2 It is also proposed that in future when grant payments are issued, a condition of grant will be to acknowledge The Trust in any publicity associated with the funding. For example, in January 2022 the Trustee Board confirmed funding of £5,930 towards the Newark Comes to Life series of events this summer. These events are promoted in the Palace Theatre's Summer 2020 brochure, and there is a line thanking the Trust for its grant funding which has made the events possible. The acknowledgement could arguably have been more prominent and effective for the Trust in terms of publicity, if the Trust had required publication of its logo and website address.

3.3 The Trustee Board is ask to consider any other suggestions for promoting the availability of grant funding.

3.4 The current grant application says that applications will be considered annually in March/April and that applications must be received by 1 January in the relevant year. It is proposed to remove this requirement in order to increase accessibility of grant funding.

4.0 Financial Implications

4.1 There are no direct financial implications from this report.

5.0 RECOMMENDATION

That the Board approves the proposals set out in paragraphs 3.1, 2.3 and 3.4 of the report and considers any other suggestions for promoting the availability of grant funding.

Background Papers

The Gilstrap Trust Website - <http://www.thegilstrapcharity.org/>

Newark& Sherwood District Council's Community Funding page - <https://www.newark-sherwooddc.gov.uk/your-council/get-involved/community-funding/>

Sue Bearman

Assistant Director - Legal & Democratic Services Newark & Sherwood District Council

Clerk to the Gilstrap Trust

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted