

## **NONSUCH PARK JOINT MANAGEMENT COMMITTEE**

**Monday 4 February 2019 at 10.00 am**

**Nonsuch Park Mansion House**

The members listed below are summoned to attend the Nonsuch Park Joint Management Committee meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Councillor Jill Whitehead (Chairman)	Councillor Chris Frost
Councillor Jenny Batt	Councillor Peter Geiringer
Councillor Alex Clarke	Councillor Mike Teasdale

Yours sincerely



Chief Executive

For further information, please contact Democratic Services on 01372 732000

### **AGENDA**

**1. ADJOURNMENT FOR PUBLIC SPEAKING (IF REQUIRED)**

**Prior to commencement of the meeting a period of 15 minutes will be put aside to allow members of the public who have pre-registered to do so, the opportunity to ask questions.**

**For further details, contact Fiona Cotter, Democratic Services Manager, on 01372 732000.**

**2. DECLARATIONS OF INTEREST**

Members are asked to declare the existence and nature of any Disclosable Pecuniary Interests in respect of any item of business to be considered at the meeting.

**3. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 10)**

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Nonsuch Park Joint Management Committee held on 29 October 2018 (attached) and to authorise the Chairman to sign them.

**4. GOVERNANCE ARRANGEMENTS FOR THE JOINT MANAGEMENT COMMITTEE** (Pages 11 - 42)

A report to update Members on the governance arrangements for the work of the Joint Management Committee.

**5. PLANNED MAINTENANCE REPORT 2019-20** (Pages 43 - 48)

This report requests approval for the 2019-20 planned maintenance works and reports on progress of the 2018-19 maintenance works.

**6. NONSUCH JMC FINANCE REPORT AND BUDGET 2019-20** (Pages 49 - 56)

This report provides an updated forecast for 2018/19 and seeks the Joint Management Committee's approval of both the 2019/20 budget and the recommended precept to be levied on the constituent authorities.

**7. EXCLUSION OF PRESS AND PUBLIC**

The Committee is asked to consider whether it wishes to pass a resolution to exclude the Press and Public from the meeting in accordance with Section 100A (4) of the Local Government Act 1972 on the grounds that the business involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**8. MINUTES OF THE PREVIOUS MEETING** (Pages 57 - 58)

The Committee is asked to confirm as a true record the restricted Minutes of the Meeting of the Nonsuch Park Joint Management Committee held on 24 September 2018.

These Minutes from the meeting of the Nonsuch Joint Management Committee held on 24 September 2018 have not been published because the meeting was closed to the press and public on the grounds that the nature of the business to be transacted/nature of the proceedings dealt with information which could identify individuals and relating to the financial or business affairs of the Joint Management Committee and a third party and information in respect of which legal privilege could be maintained in legal proceedings.

**9. PROPERTY MATTERS PROGRESS REPORT** (Pages 59 - 80)

A report in inform the Joint Management Committee on the current position regarding various property matters.

This report has not been published because the meeting is likely to be closed to the press and public in view of the nature of the business to be transacted/nature of the proceedings. The report deals with information relating to the financial or business affairs of the Joint Management Committee and third parties and the public interest in maintaining the exemption currently outweighs the public interest in disclosing the information.

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**Minutes of the Meeting of the NONSUCH PARK JOINT MANAGEMENT  
COMMITTEE held on 29 October 2018**

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**PRESENT -**

Councillor Jill Whitehead (London Borough of Sutton) (Chairman); ; Councillor Jenny Batt (London Borough of Sutton), Councillor Alex Clarke (Epsom & Ewell Borough Council), Councillor Chris Frost (Epsom & Ewell Borough Council), Councillor Peter Geiringer (London Borough of Sutton) and Councillor Mike Teasdale (Epsom & Ewell Borough Council).

In Attendance: Paul Airey (Nonsuch Voles), Gerald Smith (Friends of Nonsuch) and Frances Wright (Nonsuch Watch)

Absent: Samantha Whitehead (Substituted by Daniel Atubo)

Officers present: Amardip Healy (Chief Legal Officer), Brendan Bradley (Chief Accountant), Dominic Aslangul (Neighbourhood Manager), Daniel Atubo (Grounds Maintenance Supervisor), Tony Foxwell (Senior Surveyor), Peter Steel (Head Gardener) and Sandra Dessent (Democratic Services Officer)

**25 ADJOURNMENT FOR PUBLIC SPEAKING (IF REQUIRED)**

Two members of the public addressed the Committee with comments which were noted.

**26 DECLARATIONS OF INTEREST**

No declarations of interest were made by Councillors in items on this agenda.

**27 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Meeting of the Nonsuch Park Joint Management Committee held on 28 June were agreed as a true record and signed by the Chairman.

*Note: The following volunteers were not recorded but did attend the meeting:*

- *Paul Airey (Nonsuch Voles)*
- *Gerald Smith (Friends of Nonsuch)*
- *Frances Wright (Nonsuch Watch)*

**28 MID-YEAR BUDGET MONITORING**

Brendan Bradley (Chief Accountant EEBC) presented the mid-year Budget Monitoring Report to the Committee as set out in the report and Annex 1.

The Committee noted that there was an adverse variance of £16,437 forecast against the budget in the main due to unforeseen spend on essential maintenance. (detailed in the Planned Maintenance report agenda item 5).

As a result the forecasted balance working balance had reduced to £139,519.

Accordingly, The Committee noted the mid-year financial position.

**29 MID YEAR PLANNED MAINTENANCE UPDATE**

The Committee received a report outlining the agreed priority maintenance works, and an update on the estimated costs as set out in Annex 1. It was noted that an additional £45,795 against the budget was required to complete the works.

Tony Foxwell (Senior Surveyor) informed the Committee that since the publication of the agenda, the ceiling on the first floor of the Mansion House incurred damage which was estimated to cost in the region of £1,000 to repair. The Committee approved the additional expenditure.

It was noted that the repair to the old greenhouse wall had not been assessed as a high priority as the area had been made safe and the damaged area fenced off. However, it was agreed to obtain an estimate for the repairs in order to better assess a timescale for when the works could be carried out.

Having considered the schedule of maintenance works the Committee:

- (1) Noted the progress of the priority works
- (2) Approved funding for the additional spend of £45,795 (plus an estimated £1,000 for ceiling repairs to the Mansion House first floor ceiling) for urgent works during the 2018/19 financial year
- (3) Noted the proposed priority works for 2019/20

**30 EVENTS IN THE PARK**

The Committee received the Events in the Park report outlining a proposed timetable for events in 2018/19 as well as a review of the Nonsuch Park Open Day which was held on 9 September. Whilst the event had been scaled down from the proposed scheme, valuable feedback had been gathered on the day which would be used to plan a bigger, improved event for 2019.

The proposal for a Town and Country show on 26/27 May was discussed and the following points were raised:

- It was recognised that the show raised much needed income for Nonsuch Park however it was important to balance the revenue from the event against the environmental impact.
- Health and Safety considerations were raised with particular emphasis on parking. It was therefore recommended that the event be referred to the Council's Safety Advisory Group (a multi-agency risk management group) to ensure that the event organisers had all the appropriate measures in place to mitigate potential risks.
- It was suggested that park and ride arrangements be considered. It was agreed to pass on the suggestion to the Safety Advisory Group.
- Environmental concerns were acknowledged and it was noted that Epsom & Ewell Borough Council's in-house Ecologist did not consider that temporary parking limited to a two day period would have a detrimental impact on the habitat.
- Reviewing and learning from other similar events that had taken place would help the Joint Management Committee to better gauge a list of requirements for the organiser

Accordingly, the Committee:

- (1) Noted the current event calendar
- (2) Noted the success of the Nonsuch Park Open Day and feedback from visitors
- (3) Approved the proposal to host the 2019 Town & Country Show, subject to conditions of hire and other matters required to be addressed.

### 31 CAR PARKING FACILITIES IN NONSUCH PARK

The Committee were asked to review the current car parking arrangements in Nonsuch Park. The report set out the current capacity and emphasized the concern that park users were increasingly parking outside designated parking areas. It was noted that this was happening on a daily basis.

Dominic Aslangul (Neighbourhood Manager) outlined the details of an enforcement trial that was currently taking place in Beddington Park, Sutton which was introduced to tackle the issue of unauthorised parking. He informed Members that positive feedback had been received and the enforcement measures were having an impact and reducing unauthorised parking. The trial was at no cost to the Council.

It was agreed to arrange a visit to Beddington Park for Members to view the parking arrangements and better assess the scope for an enforcement trial in Nonsuch Park.

The importance of working with stakeholders to address parking issues was stressed, particularly Nonsuch school.

Having reviewed the current arrangements for parking in Nonsuch Park, the Committee:

- (1) Noted the current car parking facilities available in Nonsuch Park
- (2) Agreed to a visit to Beddington Park to evaluate the enforcement trial
- (3) Agreed that a report on the introduction of car park enforcement be brought to a future meeting

## 32 PROGRESS REPORT

The Committee received a report detailing the outcome of recent events and updates of ongoing projects including:

- **South & South East in Bloom** – Officers and volunteers were delighted to receive a Silver Gilt Award from the judges, which was particularly noteworthy as unlike its competitors, Nonsuch Park had not been the recipient of Heritage Lottery funding and does not charge an entrance fee.
- **Fencing in Pinetum** – With the assistance of the Nonsuch Voles a second stage application had been submitted to the Suez Communities Trust Landfill Fund for replacement security fencing.
- **Heritage Lottery Bid** – It was noted that a bid could not be progressed at this time as the required match funding was not available. However officers were proposing to look at alternative, albeit it smaller funding opportunities and report back at the next Committee meeting.
- Members noted that Nonsuch Voles had undertaken repair works of the lawn edging in front of the Mansion and this was in the main due to large vehicles driving over the lawns. Notices had not been a deterrent and officers agreed to investigate.

In addition to the comprehensive written update from Nonsuch Voles, Friends of Nonsuch and Nonsuch Watch gave verbal updates to the Committee as follows:

**Friends of Nonsuch** – Gerald Smith from friends of Nonsuch reported that the museum was now closed for the winter with the exception of the gallery which would be open on Sunday afternoons.

It was noted that timescales for the recent commissioning of a Stucco panel, had slipped and it was now likely to be Spring 2019, and it was hoped that the panel would be in place to coincide with the 60 year anniversary of the Nonsuch dig.



To highlight the relevance of the Farmer memorial seat (commemorating the Farmer brother's involvement in the Battle of the Somme in World War 1) a silhouette of the silent soldier had been placed next to the seat.

**Nonsuch Watch:** Frances Wright from Nonsuch Watch reported that the latest butterfly surveys were available to view, and was pleased to inform the Committee that some rare species had been spotted.

Accordingly the Committee noted the progress of outstanding items and updates from voluntary groups.

*The meeting began at 10.00 am and ended at 11.28 am*

COUNCILLOR JILL WHITEHEAD (CHAIRMAN)

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## **GOVERNANCE ARRANGEMENTS FOR THE JOINT MANAGEMENT COMMITTEE**

<b>Head of Service / Contact:</b>	Amardip Healy, Chief Legal Officer
<b>Annexes/Appendices (attached):</b>	Annex 1 – Terms of Reference of Voluntary Groups (Confidential) Annex 2 – Draft Public Participation Arrangements
<b>Other available papers (not attached):</b>	Best Value Review 2002 Management Plan 2009-2014

### **Report summary**

**To update governance arrangements for the Joint Management Committee and outstanding work items.**

### **Recommendation (s)**

**The Committee:**

- (1) agrees for a new inter authority agreement for the management of Nonsuch Park to be negotiated;**
- (2) confirms the Committee Procedure Rules of Epsom & Ewell Borough Council apply to the Joint Committee pending a new joint management agreement;**
- (3) considers the proposals for public participation attached at Annex 2;**
- (4) considers the nature and roles of local groups who wish to support and promote Nonsuch Park;**
- (5) offers a standing invitation to Nonsuch Voles to attend JMC meetings (with no voting rights);**
- (6) to investigate with both Councils the ability to utilise existing arrangements each Council has in place to support the work of the JMC;**

- (7) **agrees to Epsom & Ewell Council to take forward a parking management scheme to address parking issues;**
- (8) **agrees for work to be commissioned on a draft strategic plan for the Park encompassing a new 10 year management and business plan.**

## **1 Background**

### **Agreements**

- 1.1 In 1937 an agreement was entered into by the then London County Council, London Borough of Sutton, Surrey County Council and Epsom and Ewell Borough Council, following the purchase of lands which now form part of Nonsuch Park ("the Park"). At the time Surrey County Council handed over management and maintenance of the Park to Sutton and Epsom and Ewell Councils. As a result the Joint Management Committee was set up ("the JMC") to manage the Park.
- 1.2 In 1939 a further deed was entered into by all four parties to treat Nonsuch Park as part of the Green Belt.
- 1.3 In 1993 Sutton and Epsom and Ewell Councils entered into an agreement to amend some of the requirements of the original 1937 agreement. It was agreed amongst other matters:
- the JMC would be renamed "Nonsuch Park Joint Management Committee";
  - the JMC would consist of 6 councillors, with 3 from each Council;
  - the management and control of the park would be in the hands of the JMC;
  - the costs of management and upkeep of the Park will be defrayed by the Epsom and Ewell and shall be met equally by the two Councils.
- 1.4 In 2008 an agreement was entered into between Surrey, Sutton and Epsom and Ewell Councils on how the Park was to be used and managed. The agreement set out some principles, which were:

'The JMC agrees that all use and management of the Park shall be in accordance with the following principles:

1. The local community and visitors can enjoy a green oasis with broad appeal;
2. The historic and natural environments are properly cared for;
3. The public can enjoy a range of recreational pursuits without harming the enjoyment of the park by others;

4. Every opportunity is taken to provide visitors with an appreciation of the Park's many significant features;
  5. The potential for education, interpretation and community involved is realised;
  6. The financial return from the Park is optimised provided that it does not prejudice the principles set out above and the park's primary purpose as a public open space'.
- 1.5 The JMC reviewed how the Park could be used and a commercial strategy was developed and implemented. Part of the strategy involved introducing third parties to provide services and events at the Park to paying customers. The sources of income would then be committed towards the upkeep of the Park.
- 1.6 The permitted use of the Park was described as
- 'the use management and maintenance of the *Park* (1) as public open space, public walks, and pleasure grounds, physical training and recreation facilities or uses ancillary thereto with the primary purpose being for the enjoyment and amenity of the park by the public (2) for such commercial use as the JMC sees fit having regard to the provisions of the Green Belt Deed Provided that the range of uses referred to in the Green Belt Deed and the Green Belt (London and Home Counties) Act 1938 shall not be diminished".
- 1.7 This agreement also required for a Management Plan to be produced and updated every five years as a minimum. A draft was presented to the Joint Management Committee in Oct 2009 following which a revised version was sent to Surrey County Council in 2009. The Plan was then updated in 2012, when an application for a Green Flag was applied for. The action plan of the Management Plan was updated in 2014 and presented to the Management Committee in early 2015. The Management Plan is now due for review and renewal.
- 1.8 As part of the requirements, a Maintenance Plan was also required. The Maintenance Plan was expected to be a timed and costed programme of maintenance and repair works for the buildings and structures within the Park, produced following regular condition surveys carried out by the JMC.

#### **Committee Procedure rules**

- 1.9 The processes used at the JMC have effectively been those of the Epsom & Ewell. The appointment of members to the joint Committee was modified by the 1993 Agreement, however other committee processes are unclear as the original agreement setting up the JMC has been lost. References to 'standing orders' have been found in historic minutes for the JMC, but a record of those standing orders cannot be located.

- 1.10 From recent events and correspondence, there appears to be some confusion as to the nature of the relationship with external organisations and the JMC.
- 1.11 It was agreed in 1995 (Minute 3197) that a nominated advisor from the Friends of Nonsuch, with no voting rights, have a standing invitation to all meetings of the JMC which are open to the public.
- 1.12 A request from Nonsuch Watch was then made in 1997 for similar representation on the JMC. This was refused (Minute 3280), because  
“The Committee considered it inappropriate to agree to such representation in view of the fact that Nonsuch Watch was essentially a pressure group”.
- 1.13 In 2000 the JMC agreed (Minute 3371):  
“After consideration it was agreed that a representative of the The Friends of Nonsuch should continue to be invited to attend all meetings of the Joint Management Committee and that the following organisations be invited to send a representative to attend meetings, as and when appropriate, with the right to speak on relevant items:-
- Nonsuch Watch
  - Nonsuch Antiquarian Society
  - Epsom Protection Society
  - Cyclists Touring Club (South West London District Association)
- It was also agreed that the Clerk be authorised after consultation with Chairman to invite any other organisation to send a representative to a meeting with the right to speak on relevant items.”
- 1.14 This makes it clear that only those invited to a meeting would have a right to speak on a relevant item.
- 1.15 In 2010, a scheme for public speaking was introduced. The Committee were reminded that the JMC meetings were not public meetings but meetings open to the public. It was agreed the arrangements would be kept under review and considered annually. This has not happened, and therefore, the current governance review is an opportunity to both revisit the approach and process.

- 1.16 Despite there being agreement on arrangements at the meeting and the setup of the committee room, it would appear confusion has arisen over these arrangements. Both the issue of how matters should proceed and how to ensure the arrangements are embedded in, need to be addressed as it is important for the JMC to be clear on its processes and procedures. In light of the nature of the length of time since the last review, it is recommended that the JMC reviews its meeting set up, processes and procedures.
- 1.17 However, this will take some time to agree and complete by both authorities. As such it is being proposed some interim steps are put in place to ensure, for example a clear set of committee procedure rules. At present without any, the Committee is unable to manage and control meetings in the normal way as its procedure rules cannot be found. Although this may not have been an issue to date, following disruption at a recent meeting, the JMC needs to ensure it has all the normal committee powers to deal with any issues that arise at meetings.

#### **Local Group representation**

- 1.18 There are three main local groups which have provided a range of support to the Park and the JMC. The nature of the support is varied amongst the groups as is the focus of the groups.
- 1.19 As part of a governance audit, the three local groups were asked for copies of their Constitutions, confirmation of appointment of their nominated representatives and the terms of reference for such representative.
- 1.20 All three groups have submitted their Constitutions and they are attached at Annex 1. As these documents are private documents to those groups, it was felt that they should be treated as confidential. However, it is important to draw attention to the Objectives of each group.
- 1.21 The objectives for Nonsuch Voles is set out as:
- “the objective of the Groups shall be: to help to maintain and improve the formal garden and woodland at Nonsuch park by working in partnership with Epsom & Ewell Council staff and other Nonsuch Park voluntary organisations”.*
- 1.22 Friends of Nonsuch have a wide set of objectives, to highlight a few:
- “The Charity’s objects are*
- (i) the making available of the encouragement of the provision of access to and the study and appreciation of any building of national historic ....and in particular the mansion house known as Nonsuch Park Mansion Cheam and any furniture pictures ...*

(ii) *the establishment of a museum for the benefit of the general public*

...

(x) *the promotion of the study and appreciation of ecology and conservation ....*

*and the Executive Committee ...apply Funds for the Charity and income ..for these purposes in relation to the land and buildings comprising Nonsuch park...*

1.23 Nonsuch Watch set their objectives out as follows:

(i) *“to promote and conserve the natural beauty of the Nonsuch Open space.*

(ii) *to encourage the preservation and protection of indigenous wildlife, trees and plants..*

(iii) *to protect the general quiet amenity of the Nonsuch Open space*

(iv) *to promote the study and appreciation of biology, ecology and nature conservation. “*

1.24 Nonsuch Voles confirmed they have a process for the appointment of a representative to the JMC along with terms of reference for such. This appointment was formally confirmed in September 2018. The role rests with the Chair of Nonsuch Voles, the terms of reference for such are

*“Represent the Nonsuch Voles at meetings as required, abiding by the regulations and requirements of those meetings. In particular, if invited, the Chair will represent the Nonsuch Voles at the quarterly Nonsuch Park Joint Management Committee (JMC) and contribute as required by the JMC Chairperson. This may include an oral summary of the recent voluntary work undertaken by the Nonsuch Voles”.*

1.25 The Friends of Nonsuch, do not have a formal process, but their current representative has the endorsement of the group and therefore attends the meetings.

1.26 Nonsuch Watch confirmed the appointment of their Secretary as their representative on the JMC, in September 2017, but have no terms of reference for such nominee. Correspondence from the Nonsuch Watch refers to the appointee as an ‘advisor to the JMC’.

1.27 It is important to note the content of Minutes 3280 and 3371, set out at para 1.12 and 1.13 above. The JMC have not appointed any advisor to the Committee from Nonsuch Watch.



- 1.28 To ensure the aims of the Park are best served, the JMC need to consider the terms of reference of the current represented groups and the work they carry out on behalf of the Park, so as to clarify roles and expectations.
- 1.29 The government published a report on Public Parks in February 2017 <https://publications.parliament.uk/pa/cm201617/cmselect/cmcomloc/45/45.pdf>
- 1.30 The report addressed 3 questions: why parks matter, what challenges are facing the parks sector and how we can secure a sustainable future for parks. The report recognised the many benefits parks can bring but also recognised the ‘considerable challenges’ they face. There were many calls for a statutory duty on local authorities to provide and maintain parks in order to raise the profile of parks within the local authority prioritisation and budget allocation. Although this was found to be potentially unworkable, it was stressed that guidance should be produced encouraging Health & Wellbeing Boards to work with local authorities articulating the contribution and roles parks to wider local authority objectives.
- 1.31 The report notes the key role played by ‘friends, volunteers, and other community groups...in mitigating the impact of budget reduction’. The volunteer hours by Nonsuch Voles and Friends of Nonsuch confirm the reliance by the JMC on the voluntary sector to provide both financial and non-financial. As a result the JMC are asked to formally recognise the Nonsuch Voles by a standing invitation to the JMC with speaking rights on relevant matters, but no voting rights.
- 1.32 It is also important to ensure all park users and potential park users have the ability to play a role in the development of options and facilities. This is a usual component of any application for external grant funding. Although the JMC was not successful in its recent application for Heritage Lottery Funding, the experiences along with the learning from the Beddington Park bid, will assist the JMC with future applications for grant funding.
- 1.33 The bid experience has also shown that it is important for the Park to generate an independent income. Such a source could then be used as a source for grant match funding, which is often a key requirement of requirement to be able to award.
- 1.34 There are other sources of funding which could also be explored. For example, there is one example where a local health authority have provided a local authority with funding for organising outdoor health walks and putting outdoor gyms in its parks and open spaces. Again these and other areas which could be considered and explored in the future as part of the development of the strategic plan for the Park.

### **Byelaws & other Restrictions**

- 1.35 The Park is covered by byelaws made and agreed by the JMC in 1951 under section 164 of the Public Health Act 1875 for pleasure grounds.
- 1.36 Following concerns raised around the use of drones, consideration for public space protections orders to regulate such use were being considered. These matters now need to be followed up.
- 1.37 In 2018, Sutton secured a permanent injunction against unauthorised encampments against various sites in Sutton. At the request of the JMC, Nonsuch Park was also included. Following this with the support of Sutton's Legal Team, Epsom & Ewell have also secured an interim injunction for a number of its sites. On advice this has included Nonsuch Park to enable easier enforcement process should this arise.

### **Listing**

- 1.38 There are several listings for Nonsuch Park under listed buildings, scheduled monuments and registered parks and gardens with Historic England.
- 1.39 The garden and land were registered under the Historic Buildings and Ancient Monuments Act 1953 with the Register of Historic Parks and Gardens by Historic England for its special interest.
- 1.40 In 1954 Nonsuch Park House was listed at a grade II listed Building. In 1995 the Park and Garden were given a Grade II listing. The building was listed under the Planning (Listed Buildings and Conservation Areas) Act 1990, for its special architectural or historic interest.
- 1.41 In 1954 the remains of the banqueting House to Nonsuch Palace where listed as Grade II. This building was listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 for its special architectural or historic interest.
- 1.42 Nonsuch Palace, its formal gardens and associated remains and Cuddington medieval settlement were listed in 1969 as a Scheduled Monument. This monument is scheduled under the Ancient Monuments and Archaeological Areas Act 1979, as it appears to the Secretary of State to be of national importance.
- 1.43 In 1974 the wall flanking the east side of the garden to south of Nonsuch Park House was listed as Grade II, under the Planning (Listed Buildings and Conservation Areas) Act 1990, for its special architectural or historic interest.

### **Parking issues**

- 1.44 Over the years a number of issues have been regularly raised around problems created by inconsiderate parking at the Park. The issues continue to be raised and therefore now need to be addressed more formally.
- 1.45 In an effort to find a pragmatic solution, a site visit took place last year by members of the JMC to review the arrangements of the parking enforcement trial at Beddington Park.
- 1.46 The background to the Beddington Park trial is similar to the issues Nonsuch park experiences. At Beddington park large number of cars were parking in undesignated areas, which often caused blockages. The emphasis was to ensure parking only occurred in designated car parks, and not on other areas such as grass or access roads. Although parking in designated car parks remains free of charge, if parking takes place elsewhere other than in a designated place, a Penalty Charge Notice of £100 is issued.
- 1.47 The arrangements are designed to proactively manage parking. The scheme is self-funding with no cost to the Council for enforcement. It is recommended that the Nonsuch introduces a similar scheme and arrangements as Sutton, and if possible to utilise Sutton enforcement arrangements. This is likely to require works to mark where parking should be permitted and if the introduction of a scheme is supported, work on costings will commence.

### **Financial arrangements**

- 1.48 Both Sutton and Epsom & Ewell contribute to the costs of the Park. However, the contributions both Councils can make is naturally limited by the pressure on both Council's budgets.
- 1.49 The JMC are entirely financially responsible for all rates, taxes, charges and all other outgoings arising from or due in relation to the Park. The JMC are responsible for all the costs of keeping the Park in good repair and condition. This is particularly important in light of the listed nature of many parts of the Park.
- 1.50 Recent issues have required a disproportionate amount of senior officer time to be devoted to them. Such an approach is unsustainable. It has however, highlighted that senior officer time spent on JMC matters is not being charged to the JMC and this will need to be addressed.

### **Strategic Plan**

- 1.51 Much of the work each authority is undertaking invariably does not specifically include Nonsuch Park, because of the nature of the joint arrangements for the management of the Park. As such there is a gap in setting a strategic vision for the Park along with aspects of operational functions.
- 1.52 It would be useful for the JMC to draw upon the work each of the authorities are undertaking in their own Borough's around sustainability, being enterprising and also around the wellbeing agenda and to draw these together in the form of a business plan for the Park. The benefits could include:
- Improving customer experience;
  - Increasing operational efficiency;
  - Increasing resilience and flexibility through the pooling of resources;
  - Pooling scarce specialist resources and creating additional capacity;
  - Savings through common procurement strategies and sharing expertise.
- 1.53 By developing a business plan for the Park, the JMC will then be able to take forward much of its recent discussions around promoting the Park and its distinctiveness. Key to this is developing a brand and identity for the Park.
- 1.54 There will be investment costs associated with taking forward any changes. If the JMC are happy to consider options and to take forward proposals for the development of a Park Business Plan, a further report could be bought with proposals and costings.
- 1.55 Since the Park Management Plan is also now out of date, it is particularly opportune to bring forward a Strategic Plan for the Park, which captures all the key plan elements for the management of the Park in one place.

## **2 Proposals**

- 2.1 In light of recent issues, to ensure resources are managed effectively and efficiently, it is important for the JMC to have a clear set of procedure rules for the running of the Committee.
- 2.2 Both Councils currently operate a Committee based model, both have their own Constitutions. Neither deal specifically with the committee procedure rules for the JMC.

- 2.3 Currently Epsom and Ewell provide support to the JMC in terms of democratic officer support. The Clerk to the Committee is the Chief Executive of Epsom and Ewell. The Clerk is presented at the JMC by Epsom and Ewell's Chief Legal Officer who is also the Council's Monitoring Officer.
- 2.4 All support in relation to finance, planned maintenance reporting, property management and park management is provided by Epsom & Ewell Council.
- 2.5 Sutton's support is provided by their local Neighbourhood Manager.
- 2.6 It is proposed that the Committee Procedure Rules of Epsom and Ewell apply to the JMC. The JMC is not a policy making committee and therefore would not be regarded as such under the committee procedure rules. This would mean there would be no public questions, as a result of the application of the committee procedure rules. This would be entirely consistent with the role and function of JMC.
- 2.7 The JMC currently have a scheme which was agreed and this is attached at Annex 2. The scheme was originally a trial, but perhaps was not reviewed because the scheme was not utilised to any great extent.
- 2.8 It is proposed that this be amended to enable public questions to be asked at meetings rather than a process for public speaking. At present both Councils have processes for public questions but public speaking is limited to regulatory committees such as planning and licensing. It is therefore unusual to have public speaking at a management type of committee.
- 2.9 From reviewing previous meeting minutes, it is clear that other park users have spoken to the JMC about their experiences. For example a representative of Parkrun has often attended to give an update on their activities. In light of the growing role parks, it is important to encourage park community feedback. The question is how this community engagement could be encouraged and supported, particularly when sometimes people do not have the time to attend Committee meetings.
- 2.10 As an interim step the JMC may wish to consider the ability to invite an interested park user group to speak to the JMC on a matter of interest to the JMC. This is particularly relevant in light of the support the JMC needs in relation to accessing or applying for any 3<sup>rd</sup> party funding or grants. A recent example would be where Nonsuch Voles worked very closely with officers in relation to an application for funding from the Suez Communities Trust.

- 2.11 Other examples would include and also in relation to completion of works related to management plans. For example, the Nonsuch Voles work closely with officers in terms of management of the formal gardens, the Pinetum along with general maintenance and support around the Park. The award of the Silver Gilt this year again evidences the value of the support of the voluntary sector to the park.
- 2.12 The work of the Friends of Nonsuch to bring a museum to the Park and make the history of the Park available for all to enjoy is another key component to the Park's continued attraction and success as a heritage asset.
- 2.13 The tireless work of the Nonsuch Voles and Friends of Nonsuch to support the Park is critical to the work of the JMC in terms of management of the Park within available resources.
- 2.14 At present Nonsuch Voles are not referred to specifically in any of the minutes with a standing invitation to attend the JMC meetings. In light of their work for the Park, it is recommended that they be accorded the same status as Friends of Nonsuch.
- 2.15 It is therefore proposed to delete the current public speaking procedures entirely and replace them with a modified standard process for public questions, a draft of which is attached at Annex 3. To facilitate discussions, it is also proposed that the nominated group's representatives, who attend the JMC as advisors, have the ability to respond to questions from the JMC and assist the JMC as and when required. To avoid limiting the JMC, it is also recommend that public participation not be limited as provided for by minute 3371 (set out above). Namely that the JMC have the ability to extend an invitation to recognised voluntary groups, to attend a meeting when invited to do so. This does not stop any group from attending a meeting as a member of the public, but instead carves out a role for those groups from whom the JMC may wish to hear in relation to any JMC work stream.

### **3 Financial and Manpower Implications**

- 3.1 In the event the recommendations with financial implications are agreed, further reports with costings will be brought to the JMC before any expenses are incurred.
- 3.2 Officers will utilise existing resources and available arrangements, but it is envisaged work will be need to be commissioned.
- 3.3 ***Chief Finance Officer's comments:*** *None arising from the contents of this report.*

**4 Legal Implications (including implications for matters relating to equality)**

- 4.1 The arrangements for the Park in terms of joint management are fixed. However, over time the complexity of demands has now lead to pressure for the nature of those arrangements to be extended. This covers a wide spectrum of activities, from clarity of decision making, conduct of meetings to greater shared working between to the two managing councils.
- 4.2 Both Councils, in common with all in the sector, face considerable financial pressures. Recognising that reductions in local government funding will continue and that over time, the ability to make further savings reductions in budgets is becoming increasingly difficult, the JMC now needs to consider the need for being more enterprising in terms of the Park's management, so as to ensure services can be maintained.
- 4.3 The heritage listing of parts of the Park including buildings, the nature of the paths and access routes all add to the high costs of maintenance. The work program is unable to move at the pace it needs to because of the pressure on funding. This inevitably increases the risk to the JMC, which has to be managed.
- 4.4 The nature of the management arrangements also adds to the complexity. It also sometimes results in the Park not being captured within the strategies or policy frameworks of either Council or for work programs not being kept up to date. By formalising processes and procedures through a strategic plan for the Park, capturing both the management and business plans, in one place, will help to address some of these issues.
- 4.5 ***Monitoring Officer's comments:*** None arising from the contents of this report.

**5 Sustainability Policy and Community Safety Implications**

- 5.1 These are set out within the body of the report.

**6 Partnerships**

- 6.1 These are set out within the body of the report.

**7 Risk Assessment**

- 7.1 These are set out within the body of the report.

**8 Conclusion and Recommendations**

- 8.1 Customer expectations, the role of local authorities, the financial background and nature of risk have all changed radically since the JMC was set up in the 1930s. These strands all have placed a pressure on the work of the JMC, which requires a fundamental rethink of how the JMC undertakes its work, how that work is funded, along with how the Park needs to respond and provide for its local community and park users.

**Ward(s) affected:** Nonsuch Ward;



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**Draft**

**Public Participation at Nonsuch Park Joint Management Committee**

The London Borough of Sutton and Epsom & Ewell Borough Council jointly have responsibility for the management of Nonsuch Park. This responsibility is discharged on behalf of both Council by the Nonsuch Joint Management Committee. The Committee is made up of 3 elected members from each of the two local authorities.

The meetings of the Nonsuch Park Joint Committee (often referred to as the JMC) are open to the public but they are not public meetings. The Joint Committee values both the views and the support of all interest parties and park users. To ensure Nonsuch Park meets the diversity of needs, it is important for the JMC to both hear from an engage with all with park users, stakeholders and partners.

One method of engagement is by engaging directly with the JMC. This could be through asking questions of the JMC or being a recognised body or group.

**Request to ask a question at a meeting**

- 1.1 At meetings of the JMC up to 30 minutes will be set aside for written or oral questions from any member of the public who lives, works, attends an educational establishment or owns or leases land in the Borough on matters within the Terms of Reference of the JMC which may not include matters listed on a Committee Agenda.
- 1.2 All questions whether written or oral must consist of one question only, they cannot consist of multi parts or of a statement.
- 1.3 The question or topic may not relate to a specific planning application or decision under the Planning Acts, a specific application for a licence or permit of any kind, the personal affairs of an individual, or a matter which is exempt from disclosure or confidential under the Local Government Act 1972. Questions which in the view of the Chairman are vexatious or frivolous will not be accepted.
- 1.4 Any person wishing to ask a question must submit their request to ask a question in writing (either in hard copy or by email) to the Chief Legal Officer of Epsom & Ewell Borough Council. The request must arrive by noon on the tenth working day before the day of the meeting.
- 1.5 When requested to ask their question, the speaker will be asked for their name and address and if appropriate the organisation or group they represent. These details will be noted in the record of the meeting.

**Submission of written questions to a meeting**

- 1.6 A person who wishes to ask a written question must submit their question in writing (either in hard copy or by email) to the Chief Legal Officer of Epsom & Ewell Borough Council. The written question must arrive by noon on the tenth working day before the day of the meeting.
- 1.7 The member of the public submitting a written question must set out:
  - (a) the wording of the question they wish to ask
  - (b) an address, email address or telephone number at which they can be contacted before and after the meeting
  - (c) whether they live, work, attend an educational establishment or own or lease land in the Borough and if so, details.

- 1.8 Following receipt of a written question, the Chief Legal Officer will ensure that the member of the public asking the question is contacted and told whether their request complies with the conditions above. If contact details are not readily identifiable or have not been supplied, the question will not be accepted even if in all other respects it is valid.

**Question process at a meeting**

- 1.9 Public questions will be taken as the last agenda item.
- 1.8 The Chairman may decline to answer a question or may give an answer orally at the meeting or may provide a written reply.
- 1.10 At the Meeting the Chairman will ask the questioner if the response answers their concern or if they wish to ask one supplementary question. If a supplementary question is asked, it must arise from the reply given. The Chairman may decline to answer a supplementary question.
- 1.11 Written questions shall be taken first and in the order they were received followed by any oral questions, until 30 minutes have elapsed since the first question was called.
- 1.12 If a member of the public asks or wishes to ask more than one question, their second question (written or oral) shall be taken after all other individuals who wish to ask a question have been given the opportunity to do so.

**Invitations to address the JMC**

- 2.1 There may be occasions when the JMC may wish to seek the views of a 3<sup>rd</sup> party on a matter they are considering. Such a matter cannot relate to an application for permission to run an activity, the hiring or letting of any part of the Nonsuch Park.
- 2.2 The Chairman following advice from the Chief Legal Officer, will have the power to invite any such party if their specialist or particular knowledge would assist the JMC in the consideration of any relevant matter.

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## **PLANNED MAINTENANCE REPORT 2019-20**

**Head of Service / Contact:** Mark Shephard, Head of Property and Regeneration

**Annexes/Appendices (attached):** Annex one and Two

**Other available papers (not attached):**

### **Report summary**

The Report requests approval for the 2019-20 planned maintenance works and reports on progress of the 2018-19 maintenance works.

### **Recommendation (s)**

#### **The Committee**

- (1) Approves the priority planned maintenance works for 2019-2020, at an estimated cost of £67,025.**
- (2) Notes the update on progress of 2018-19 priority planned maintenance works**

### **1 Background**

- 1.1 JMC have been provided with previous reports and updates on the priority works. These works have been identified as those which are essential to meet the requirements of the lease and health and safety obligations.
- 1.2 The Planned maintenance works for 2018-19 are listed at Annex 1 and all were completed with the exception of the damp proofing works required to the gents public toilet. These were commenced on 7<sup>th</sup> January and are due for completion by 31<sup>st</sup> January 2019.
- 1.3 Additional urgent works were carried out to repair pot holes and overlay poor surfacing following complaints and an insurance claim in December 2018. The cost of these works were £9,875.

## 2 Proposals

- 2.1 The budget for priority works in 2019/20 is £74,370.
- 2.2 To proceed with leasing out the first floor of the Mansion House (irrespective of whether the occupant be Bovingdons or a third party), the following works are needed to be prioritised:-
  - 2.2.1 Asbestos Removal and Demolition Survey cost at a cost of £1,025.
  - 2.2.2 The removal and encapsulation of asbestos identified in the survey at a cost of £1,000.
  - 2.2.3 Overhaul and maintain first floor windows ensuring smooth operation of sashes, including replacing broken glazing at a budget cost of £5,000.
  - 2.2.4 External redecoration of all elevations of Mansion House using mobile lifts and scaffolding at a budget cost of £30,000.
- 2.3 Additionally, phase 2 works will be prioritised this year for the following:-
  - 2.3.1 Public toilet damp proofing repairs to ladies and disabled toilets at a cost of £10,000.
  - 2.3.2 Pathway repairs to the formal gardens at a cost of £20,000.
- 2.4 The prioritised works for 2019-20 total £67,025.
- 2.5 The budget set is £74,370 plus £1,550 for asbestos surveys and therefore works can be accommodated within the budget leaving a cushion for emergency works or additional overspend through the year.
- 2.6 To clarify, there are other elements of maintenance repairs which are desirable, but budget constraints limit the ability to carry out the level of major works necessary in any one year.
- 2.7 If funds were available, the following would be considered:-
  - 2.7.1 In light of the high level of vehicular traffic, and the impact on various current uses including the age of the current road, it would be more economical to resurface the entire road up to the main car park in one operation. This would be major works and I would initially estimate a cost of £200,000
  - 2.7.2 The London Road and Sparrow Farm car parks are in poor condition, and require constant temporary repairs to make safe potholes and defective areas of surfacing. A permanent repair by relaying and compacting new surface to both car parks would cost an estimated £180,000.



2.7.3 The rendering to the external walls of the Mansion House is in poor condition and has been repaired over the years with different methods. It would benefit from major works at an estimated cost of £200,000.

2.8 If major works were funded and undertaken, repairs would have a longer lifespan and negate the requirement for endless small repairs in these areas.

### **3 Financial and Manpower Implications**

3.1 Financial implications are set-out in the body of the report.

3.2 ***Chief Finance Officer's comments: At the current level of precepts and income generated from estates, the annual budget available for maintenance works at Mansion House is £74,370 and for roads maintenance the annual budget is £16,530.***

### **4 Legal Implications (including implications for matters relating to equality)**

4.1 The JMC are under legal duties to ensure the park is safe to use. The nature of the works needed require further consideration of how the park is funded to ensure the heritage assets are protected and the park is safe for vehicle traffic. An option of closing the roads may have to be considered if a program of replacement cannot be funded.

4.2 ***Monitoring Officer's comments: none arising from the contents of this report.***

### **5 Sustainability Policy and Community Safety Implications**

5.1 The council continues to deliver works within EEBC's sustainability policy.

### **6 Partnerships**

6.1 The Nonsuch Park and buildings are run under partnership arrangements with the London Borough of Sutton.

### **7 Risk Assessment**

7.1 The main risks are slips, trips and falls under health and safety to pathways and roads, which need to be addressed.

7.2 Operating with a reduced repairs and renewals fund carries the risk that the JMC will have limited scope to undertake future unforeseen works.

**8 Conclusion and Recommendations**

- 8.1 Requests approval of priority planned maintenance works for 2019-2020
- 8.2 Reports on progress of 2018-19 priority planned maintenance works

**Ward(s) affected:** Nonsuch Ward;

**NONSUCH PARK – DETAIL OF PRIORITY WORKS -  
Update January 2019**

Rank	Detail of works	Reason	Priorities for 2018-19	Estimated Cost(£)	Update on progress	Revised Forecast (£)
1	Fire Protection works raised by Surrey Fire and Rescue – agreed £10k cost in 2017 estimated cost updated	Issues Highlighted by Surrey Fire Rescue to fireproof floors between residential flats	Up-grading fire protection, install new double skin fire line plasterboard, fill gaps with fire rated foam, replace fire sensors, sounders, compartmentation.	31,160	Works commenced in September 2018, due to complete by end of October 2018	31,187
2	Asbestos removal from mezzanine floor	Health & Safety	Urgent Health and Safety works required to remove asbestos from the mezzanine level, in advance of fire precautionary works.	4,300	completed	3,835
3	Asbestos detected in Flats	Health & Safety	New Fire doors required to flats to replace old asbestos doors.	2,740	completed	2,740
4	General Window repairs and redecoration – order placed in 2017 ongoing works	Health and Safety and general maintenance	High level windows on museum side of flats, pointing to external wall. Due to start in May 2018	9,040	Works completed in August, whilst scaffolding was up, inspections revealed additional works	12,219
5	Additional high level works to museum side of flats	general maintenance	brickwork repairs, timber window replacement as existing unrepairable, additional mortar repairs, specialist timber joinery works to form architectural fascia and soffits	11,450	Works completed in August, whilst scaffolding was up, inspections revealed additional works	11,450
6	Flooding to access road outside childrens nursery order raised 2017	Health and Safety and general maintenance	drain outside nursery constantly flooding	13,065	Additional soakaway was added, two soakaways were provided within the storage yard to accommodate extreme amounts of surface water and waste water from nursery. Works completed June/July 2018	13,065
7	Flooding to main access road	Flooding to main access road, Health and safety and many complaints	Large concrete ring soakaway provided, excavation down to sand to ensure drainage 3m deep	6,500	Soakaway completed in July 2018	6,500
8	Public Toilets require refurbishment	Health & Safety	Rectify damp issues, cover walls with ceramic tiles or UPVC, install frost protection and refurbish to robust standard. Ladies, Gents and Disabled toilets.	40,000	This scheme has been replaced with a smaller scheme to remove old water damaged gypsum plaster and replace with lime plaster and redecorate	5,280
7	Laser scan, and full measurements to produce accurate CAD drawings	Authorised by JMC at last meeting	There are no accurate measured drawings of the Mansion House, would be really useful for any future works, leases and general alterations	7,800	completed	6,700
9	Castlemaine Lodge	Windows rotten and falling out. Landlords liability. Authorised at last JMC	Replace the remainder of rotten windows with new Upvc windows and doors.	5,000	Install new soakaways to take main access road surface water, existing drains blocked by tree roots.	4,280
10	Castlemaine lodge	Asbestos encapsulation and removal	Latest asbestos re-inspection has revealed issues that require action.	2,450	Additional works required to remove and refix light fitting. Completed	2,525
11	Urgent health and safety works to formal gardens	Inspection carried out with head gardener following insurance claim for injury	Repairs to gullies, edges of pathways, pot holes and deviations which could lead to trips and falls	22,865	Orders raised 4th October 2018, works due to commence within 2 weeks	22,865
12	Urgent health and safety works to cheam entrance access road	Complaints about dangerous areas, insurance claim and reported pot holes	Urgent job raised in December to prevent Health and safety risks	9,875	Verbal instruction given	9875
<b>Total cost of priority works for 2018-19</b>						<b>132,521</b>
<b>Other pot hole repairs</b>						<b>19,500</b>
<b>Other maintenance repairs</b>						<b>5,200</b>
<b>Total Forecast Spend on Maintenance of Roads and Buildings 2018-19</b>						<b>157,221</b>

## NONSUCH PARK – DETAIL OF PRIORITY WORKS - 2019-2020

Rank	Details of works	Works in order of Priority	Description	Estimated Cost(£)
1	Asbestos Survey	Asbestos removal and demolition survey to 1st floor of Mansion House	Required for proposal to lease out first floor area	1,025
2	Removal and encapsulation of asbestos	Removal of items identified in asbestos report	Required for proposal to lease out first floor area	1,000
3	Overhaul Mansion house windows	First floor windows to be eased and adjusted, repairs to cords and weights and replacement of broken glazing	Required for proposal to lease out first floor area	5,000
4	Redecoration to Mansion house windows	Windows in poor condition, essential repairs and redecoration required	Required for proposal to lease out first floor area	30,000
5	Phase two public toilets repairs	health and safety, complaints about damp and foul odours	second phase to look at disabled and ladies public toilets	10,000
6	Pathway repairs to formal gardens phase 2	health and safety	second phase to carry out further repairs to pathways	20,000
<b>Total Cost of Priority Works for 2019-20</b>				<b>67,025</b>
7	Pathway between Nonsuch Mansion and Sparrow Farm Lodge	Defective areas of pathway	Second phase to replace tarmac pathwath with more rustic compacted plannings with concrete edge curbs will be planned for 2019-20	20,000
8	Main Access road to Mansion house from Cheam entrance	Defective roadway	Carry out fully tarmac overlay of entire road including base corse repairs and provision of curbing at edges where possible	200,000
9	Sparrow farm lodge car park	Health and safety	Large scheme required to relay entire car park with crushed tarmac	80,000
10	London Road Lodge Car Park	Health and Safety	Some tarmac patch repairs have been carried out to roadway under maintenance budget. Main car park full of holes minor repairs are carried out each year	100,000
11	Old greenhouse wall	Health & Safety	Temporary works carried out to prop up wall. Heras fencing also erected as a safety measure to prevent access. Area is safe but requires specialist brickwork repair. FON assisting in clearing vegetation. <b>No action can be taken until funding becomes available. Budget figure allowed but consideration for use of area should be given prior to committing funds. Listed building consent will be required</b>	30,000
12	Guttering and downpipes	Health and Safety ; Continuity of income	Some repairs have been undertaken to flat areas. Works still required to main building.	8,000
13	Rendering and brickwork	Health and Safety; Landlord's liability	Specification and tender to be prepared and for the work to be undertaken on a phased basis, probably an elevation at a time in conjunction with window repairs as above.	200,000

## **NONSUCH JMC FINANCE REPORT AND BUDGET 2019-20**

**Head of Service / Contact:** Lee Duffy, Chief Finance Officer

**Annexes/Appendices (attached):** Annexe 1

**Other available papers (not attached):**

### **Report summary**

**This report provides an updated forecast for 2018/19 and seeks the Joint Management Committee's approval of both the 2019/20 budget and the recommended precept to be levied on the constituent authorities.**

### **Recommendation (s)**

#### **That the Committee:**

- (1) Notes the latest 2018/19 forecast position;**
- (2) Agrees the revenue budget for 2019/20 as set out in Annexe 1;**
- (3) Agrees to seek contributions of £101,400 from both Epsom and Ewell Borough Council and the London Borough of Sutton for the financial year 2019/20.**

## **1 Background**

- 1.1 This report provides the latest estimate of income and expenditure for the current financial year 2018/19 and a recommended budget for 2019/20.

## **2 Forecast for 2018/19**

- 2.1 The latest forecast of expenditure and income for the current year is shown at Annexe 1, which is in the standard accounts format for NJMC.
- 2.2 The forecast at Q2 had been for a deficit of £16,400, mainly due to increased maintenance costs, as set-out in October's Planned Maintenance report, and due to the ongoing vacancy at Mansion House flat three.
- 2.3 Updated projections at Q3 now show a greater forecast deficit of £45,200, which represents an adverse movement of £28,800 since Q2.

- 2.4 This adverse movement is principally due to an additional £26,000 expenditure on roads' maintenance since Q2, including urgent pothole repairs that could lead to liability claims if not rectified. The Planned Maintenance report on this Committee agenda provides full details of maintenance expenditure.
- 2.5 Furthermore, £5,000 unbudgeted legal expenses for agreeing a new lease with Bovingtons for the Mansion House first floor are now expected. These costs are unavoidable if a lease is to be signed.
- 2.6 Based on this forecast, at year-end the working balance would reduce to £110,770 and the Repair and Renewals balance would stand at £7,600.
- 2.7 Although the forecast adverse variance is mainly due to one-off maintenance and legal costs, the expected outturn exerts pressure to raise the precept next year and to generate additional income from Estates where possible.

### 3 Budget for 2019-20

- 3.1 The estimates for 2019/20 are also attached in Annexe 1.
- 3.2 Net expenditure is budgeted at £202,800, an increase of £4,000 compared to the 2018/19 budget.
- 3.3 The budget position for 2019/20 is summarised as follows:

	£'000
<b>Grounds</b>	<b>96</b>
<b>Mansion House</b>	<b>120</b>
<b>Staffing and central expenses</b>	<b>171</b>
<b>Less: Rent and other income</b>	<b>(184)</b>
<b>Net expenditure</b>	<b>203</b>
<b>Contributions from LBS/EEBC</b>	<b>(203)</b>
<b>Budget Surplus</b>	<b>0</b>

- 3.4 The 2019/20 budget has been prepared using the following assumptions:

- 3.4.1 October RPI inflation of 3.3% has been applied to expenditure budgets where necessary. In particular, the building and road maintenance budgets have increased by 3.3% to £74,370 and £16,530 respectively.
- 3.4.2 The provision for LB Sutton management charges has been lowered by £2,000, reflecting that the budget has not been needed to support capital bids in recent years.
- 3.4.3 Based on both recent usage trends and the fact NJMC no longer pays for bills at London Road Lodge, the combined utilities budgets have been reduced by £2,000 to align the budget with actual expenditure.
- 3.4.4 A contribution to the repair and renewals fund of £7,260 has been budgeted in order to replenish this fund over time.
- 3.4.5 A rent review of the existing Mansion House lease to Bovingdons is expected to yield an additional £9,000 income. Any further outcomes of ongoing lease negotiations will be factored into the NJMC budget once negotiations have concluded.
- 3.4.6 No rental income from Flat Three at Mansion House is included in the budget, as the flat has remained vacant for an extended period. Notwithstanding, it is hoped that eventually a commercial (rather than residential) income will be generated from it.
- 3.4.7 Income from Military Fitness and the Town and Country Show will continue to be achieved at a similar level to 2018/19..

#### Contributions

- 3.5 The budget estimates for next year show a balanced budget, after 2% increases in the precepts to £101,400 from each Council. These increases are subject to confirmation by both Councils.
- 3.6 The income budget is assumed to grow by 2%, the main assumptions behind which are listed in 3.4.5 onwards.

#### Working Balances

- 3.7 The working balance at 31 March 2019 is forecast to be £110,770 and remain unchanged the year after.
- 3.8 The repair and renewals fund at 31<sup>st</sup> March 2019 is estimated to be £7,600 and £14,860 the year after, assuming no further drawdowns from the fund in the period.

## **4 Risk Assessment**

- 4.1 The main risks that the JMC manages are:

- 4.1.1 Funding for repairs and maintenance, particularly at buildings and for potholes on roads
- 4.1.2 Vacant properties / loss of rent
- 4.1.3 Lack of resource to fund management plan
- 4.2 The JMC mitigates these risks through the monitoring of buildings and roads by officers, and by managing relationships with tenants. The JMC also holds a working balance and a repairs and renewals reserve, which can be used to fund one-off, unexpected budget variances.

## **5 Conclusion and Recommendations**

- 5.1 The JMC's financial position remains satisfactory but the overspends detailed in section 2 would not be sustainable over the longer term.
- 5.2 To create a balanced budget, a 2% increase in precepts to £101,400 is proposed.
- 5.3 The JMC is asked to agree the budget and precepts for 2019/20, as set out in Annexe 1.

**Ward(s) affected:** Nonsuch Ward;



NONSUCH PARK JMC - 2018-19

2017/18 Outturn		2018/19 Budget	2018/19 Actual to Q3	2018/19 Current Forecast	2018/19 Forecast Variance	2019/20 Proposed Budget	Budget Change
£		£	£	£	£	£	£
	<b>Expenditure</b>						
	<b>Grounds</b>						
3,948	Kier Engineer and fabric	4,000	2,706	4,000	0	4,100	100
1,580	NJMC Grounds/Building and M&E maintenance	1,000	5,033	7,113	6,113	1,030	30
0	Asbestos Surveys	1,100	0	1,100	0	1,100	0
4,120	Electricity	2,700	435	620	-2,080	2,300	-400
980	Gas	2,000	110	400	-1,600	1,400	-600
3,777	Council Tax	3,800	3,988	3,988	188	4,030	230
5,102	Water charges - metered	4,500	1,020	4,500	0	5,100	600
547	Maintenance of grounds	800	120	800	0	800	0
0	Plants Seeds and fertiliser	500	0	500	0	500	0
3,200	Emptying bins - recharge	3,200	3,200	3,200	0	3,300	100
21,600	Maintenance of roads	16,000	32,493	42,493	26,493	16,530	530
11,551	Tree maintenance contract works recharges	12,700	0	12,700	0	13,120	420
951	Petrol diesel & oil	1,500	562	1,500	0	1,000	-500
4,539	Purchase of plants	4,000	420	4,000	0	4,500	500
960	Transport insurance	1,400	1,293	1,293	-107	1,400	0
270	OP. equipment & tools : R & M	2,200	238	500	-1,700	2,200	0
3,650	Hire of Bins	3,800	3,800	3,800	0	3,930	130
4,046	Purchase of memorials	3,000	1,000	3,500	500	3,500	500
4,380	Surveyor Fees	0	0	0	0	0	0
488	General office expenses	200	77	200	0	200	0
643	Commercial tenanted prop	700	564	700	0	700	0
22,000	Transport fleet SLA NJMC	22,000	22,000	22,000	0	22,730	730
1,978	Insurance recharges	2,000	0	2,000	0	2,070	70
<b>100,310</b>	<b>Sub-Total</b>	<b>93,100</b>	<b>79,058</b>	<b>120,907</b>	<b>27,807</b>	<b>95,540</b>	<b>2,440</b>

2017/18 Outturn		2018/19 Budget	2018/19 Actual	2018/19 Current Forecast	2018/19 Forecast Variance	2019/20 Proposed Budget	Budget Change
	<b>Mansion House</b>						
0	Vandalism repairs	0	230	230	230	200	200
1,000	Asbestos surveys	450	0	450	0	450	0
10,909	Kier Engineer and fabric	11,300	7,478	11,300	0	11,670	370
52,357	Building and M&E maintenance works	72,000	95,892	105,000	33,000	74,370	2,370
14,844	Electricity	10,700	3,474	10,700	0	10,700	0
3,224	Gas	5,000	1,321	3,500	-1,500	4,000	-1,000
1,549	Council Tax	0	1,636	1,636	1,636	1,730	1,730
2,848	Kier cleaning contract recharges	3,000	1,952	3,000	0	3,100	100
0	Legal	0	150	5,150	5,150	0	0
7,249	Commercial tenanted property insurance	7,300	7,107	7,107	-193	7,490	190
6,246	Insurance recharges	6,300	0	6,300	0	6,450	150
<b>100,226</b>	<b>Sub-Total</b>	<b>116,050</b>	<b>119,240</b>	<b>154,373</b>	<b>38,323</b>	<b>120,160</b>	<b>4,110</b>
	<b>Central Expenses</b>						
26,000	Additional pension contribs	26,000	8,667	26,000	0	26,000	0
0	Clothing & uniforms	150	0	150	0	150	0
385	General office expenses	800	0	800	0	800	0
0	LB Sutton management charges	5,000	0	0	-5,000	3,000	-2,000
0	External audit	900	0	900	0	900	0
989	Insurance recharges	990	0	990	0	1,020	30
506	Internal audit recharges	500	500	500	0	520	20
93,800	OS SLA recovery Nonsuch	95,700	95,700	95,700	0	98,100	2,400
31,600	Management costs SLA recharge	32,300	32,300	32,300	0	33,110	810
5,157	Contribution to NJMC R&R fund	7,000	0	14,115	-21,115	7,260	260
<b>158,437</b>	<b>Sub-total</b>	<b>169,340</b>	<b>137,167</b>	<b>143,225</b>	<b>-26,115</b>	<b>170,860</b>	<b>1,520</b>
<b>358,973</b>	<b>Gross Expenditure</b>	<b>378,490</b>	<b>335,465</b>	<b>418,505</b>	<b>40,015</b>	<b>386,560</b>	<b>8,070</b>

2017/18 Outturn		2018/19 Budget	2018/19 Actual	2018/19 Current Forecast	2018/19 Forecast Variance	2019/20 Proposed Budget	Budget Change
	<b>Income</b>						
0	Other recoveries	0	-4,200	-4,200	-4,200	0	0
-4,751	Filming income	-2,000	-2,175	-2,175	-175	-2,000	0
-3,130	Memorial receipts	-3,500	-3,219	-3,500	0	-3,500	0
-90,000	Catering lettings	-90,000	-67,500	-90,000	0	-99,000	-9,000
-26,020	Variable service charges - Bovingdons	-19,000	-10,013	-15,000	4,000	-19,000	0
-5,157	Fixed service charges - Bovingdons	-5,200	-5,329	-5,329	-129	-5,370	-170
-2,150	Licence to occupy - Old Boat House	-2,150	-358	-2,150	0	-2,150	0
-5,594	Insurance recovered	-5,600	0	-5,600	0	-5,600	0
-1,315	NJMC service charges	-1,300	-1,315	-1,315	-15	-1,320	-20
-862	Little Oaks Forest School insurance recovered	-900	-862	-862	38	-1,120	-220
-8,000	Hire charges - Mil. Fitness, Town & Country Show	-5,000	-7,250	-8,000	-3,000	-8,000	-3,000
-9,716	Staff property rent	-9,700	-6,477	-9,716	-16	-9,710	-10
-12,906	Nursery Lodge	-14,750	-11,063	-14,750	0	-14,750	0
-10,320	Rent of flats	-22,400	-7,740	-10,320	12,080	-10,320	12,080
-1,921	Interest on balances	-1,600	0	-1,600	0	-1,920	-320
0	Contribution to/from working balance	3,410	0	0	-3,410	0	-3,410
<b>-181,841</b>	<b>Sub-Total</b>	<b>-179,690</b>	<b>-127,501</b>	<b>-174,517</b>	<b>5,173</b>	<b>-183,760</b>	<b>-4,070</b>
<b>177,131</b>	<b>Net Expenditure</b>	<b>198,800</b>	<b>207,964</b>	<b>243,988</b>	<b>45,188</b>	<b>202,800</b>	<b>4,000</b>
	<b>Precepts:</b>						
-99,400	Precept to be levied on EEBC	-99,400	-99,400	-99,400		-101,400	-2,000
-99,400	Precept to be levied on LB Sutton	-99,400	-99,400	-99,400		-101,400	-2,000
<b>-198,800</b>	<b>Sub-Total</b>	<b>-198,800</b>	<b>-198,800</b>	<b>-198,800</b>	<b>0</b>	<b>-202,800</b>	<b>-4,000</b>
<b>-21,669</b>	<b>Surplus (-) / Deficit in Year</b>	<b>0</b>	<b>9,164</b>	<b>45,188</b>	<b>45,188</b>	<b>0</b>	<b>0</b>
134,287	Balance b/fwd. 1 April			155,956		110,768	
	Adjustment						
155,956	Balance c/fwd. 31 March			110,768		110,768	

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