

COWES TOWN COUNCIL

Minutes of the Meeting of the COWES TOWN COUNCIL held at Northwood House, Cowes on Tuesday, 15th December, 2009 at 7.00 p.m.

Present: Councillor Wells (Town Mayor) (Chairman)
Councillors Banks, Hammond, Jones, McGregor, Matthews, Mazillius, Peacey-Wilcox,
Sanderson, Slade, Thwaites and Walters.

6281 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Birch, Deacon and Wilcox.
Apologies for absence due to conflicting I.W. Council meetings were also received from I.W. Councillors Brown and Fuller.

6282 QUESTIONS FROM MEMBERS OF THE PUBLIC

An opportunity was given for members of the public to ask questions but none were asked..

6283 NORTHWOOD HOUSE

(Councillor Thwaites, being a Northwood House Trustee, declared a personal and prejudicial interest in this item and she left the meeting at 7.05p.m.).

The Town Mayor commenced by giving a brief history in respect of Northwood House and the grounds; this listed building was bequeathed in trust to the Urban District Council of Cowes by Deed of Gift in 1929 although no financial provision was made for it. For many years the Trustee of the House and grounds was the Local Authority – originally Cowes Urban District Council, then Medina Borough Council and finally the I.W. Council. For some time the Local Authority used the house for offices and more recently installed the Registrar's Office within the building. Northwood House and grounds were gifted to Cowes Urban District Council in two separate parts; the House for Council purposes and the Grounds for the benefit of the residents and visitors to Cowes.

The Isle of Wight Council had operated as the sole Trustee in accordance with its rights under the Deed of Gift; however, it was decided that a Charitable Trust needed to be set up and Northwood House Trust was formed in 2002 with members of the public as Managing Trustees. The Trust draws managing trustees by nomination from Cowes Town Council, The Community Partnership, The Friends of Northwood House and the IW Council. For some years an elected representative from the IW Council was a Trustee but that was not the case at the present time. The new Trust Scheme dated the 31st July 2002 changed the governing document, the Deed of Gift, as follows:

1. Northwood House and Offices shall be used for such other charitable purposes as the trustees from time to time think fit and the trustees shall apply income received from such purposes towards the preservation and restoration of Northwood House and Offices for the benefit of the public
2. The words "for the inhabitants of and visitors to Cowes and of any district which may at any time hereafter be joined to and form part of Cowes in clause (2) replaced with "for the inhabitants of and visitors to Isle of Wight preference being given to inhabitants and visitors to Cowes"

Since the legal establishment of the Trust the role of the Local Authority (currently the I.W. Council) was that of Custodian Trustee; they held the title deeds of the property but had no responsibility for the management or for the upkeep of the House or grounds. That responsibility was the role of the managing trustees. The I.W. Council has however run the Park Road Car Park for the Trustees and also collected the rent for Park Lodge because the Charity cannot collect more than 25% of its income itself. The Council has applied these funds to the maintenance of the House and the Grounds although when this has been exhausted the Council has also contributed its own funds for these purposes.

The Town mayor stated that because of an ongoing lack of investment where only emergency repair work had been carried out, the House was now in a serious condition of dilapidation and some structural

instability; the grounds were generally tidy but there was work that needed to be carried out. The recent condition survey indicated the need for an immediate investment of £491,000 to bring the House to a safe place and a further £3 million to bring it up to a fully usable standard. There was therefore some urgency to move things forward before a critical position was reached.

Currently the Trust comprised 5 members; it was not permitted as a Charitable Trust to trade and it had no regular income to enable it to function in an effective way although there were income streams that could be made available to it. The Trust had limited capacity within its current membership to function or to bring forward plans for the future of the House and it did not have the funds to seek the necessary professional advice. The IW Council was currently the Custodian Trustee; they held the title deeds to the House but had no legal responsibility to maintain either the grounds or the House itself. However, it continued to support the Trust by utilising money from the Park Road car park, which was in the ownership of the Trust to continue to maintain the upkeep of the grounds and to carry out emergency repairs to the House. The Park Road car park was considered by both the I.W. Council and Cowes Town Council to be of strategic importance to Cowes and both bodies would wish to see it retained. There was also limited income from the Church Lodge, a tenanted house in the grounds of the park which was in the ownership of the estate. The I.W. Council also had the Registrar's Office based in the House but no rent was currently paid on the basis that restoration works to the office suite were paid for by the I.W. Council which was a function permitted by the Deed of Gift. The IW Council was therefore, as a beneficiary of income and use of facilities, compromised in the attempt to disengage itself from the operational side of Northwood House. Cowes Town Council had little involvement in the House; historically it had gone along with the premise that it was the responsibility of the I.W. Council along with the Trust to determine the future of the House. There was a compelling argument, because of the strong local interest, for a local democratically based body to have a more active part in the future of the House. Cowes Town Council could take on the role of Custodian Trustee and therefore would be enabled to work alongside the Trust to assist them as they consider the future of the House. It was a body that could trade and therefore take on the responsibility for the car park in Park Road and the income from the Church Lodge passing the funds to the Trust thus enabling an immediate income stream for the House. The role of Custodian Trustee would not impose liability on the Council; the main liability for the House rested with the Managing Trustees.

The Town Mayor stated that long term a commercial solution was the only real way forward to ensure that the House remained the treasured asset that it was to the community, to the wider Island and to visitors to Cowes. There were currently several expressions of interest to take the property on a long lease which could result in major investment to restore and possibly expand the House; under some of these proposals the grounds could remain open for public use.

The Town Mayor believed that the I.W. Council, as a beneficiary of income and use of facilities, was compromised in their attempt to disengage themselves from the operational side of Northwood House. He would like to establish a small sub group of Town Council members with specific skills to assist the Trust in unravelling some of the anomalies. The group could consider whether some form of short term financial assistance was appropriate and whether there was merit in the Town Council taking on the role of Custodian Trustee from the I.W. Council to provide a sense of local accountability.

Following much general discussion it was

RESOLVED

That the Town Council establishes a sub group comprising the Town Mayor and Councillors Banks, Hammond, Matthews, Slade and Walters to scrutinize and report back to the Town Council regarding the following:

- All legal implications – seeking appropriate legal advice as necessary
- A clarification of the income and expenditure accounts for the House and grounds covering a two year period
- A formal input from the Trustees as to how they perceive the future for Northwood House and its grounds and what they consider should be the role of the Town Council

prior to the Town Council further considering whether or not they should take on the role of Custodian Trustee from the I.W. Council.

(The proceedings terminated at 8.20pm)

CHAIRMAN

