

City of London Corporation Committee Report

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| Committee(s): West Ham Park Committee | Dated: 03/07/2025 |
| Subject: NECR Charity Assets Update for West Ham Park | Public report: For Information |
| This proposal: <ul style="list-style-type: none">• delivers Corporate Plan 2024-29 outcomes• provides business enabling functions | Leading Sustainable Environment |
| Does this proposal require extra revenue and/or capital spending? | No |
| Report of: The Executive Director of Environment and The Chamberlain | Katie Stewart Caroline Al-Beyerty |
| Report author: | Jo Hurst Assistant Director Charity Development |

Summary

This report is being brought for information as part of the commitment to keep Members up to date on the work of the review.

A key deliverable of the Natural Environment Charity Review is an audit of land assets owned by the City of London Corporation ('CoLC') in its capacity as charity trustee of each of the eight Natural Environment charities, ensuring that the information held on those assets in the CoLC's Asset Register is accurate and up to date. This report summarises the processes used to audit the land assets held by the CoLC as trustee of the West Ham Park Charity.

Recommendation(s)

Having regard to the CoLC's trustee responsibilities for the West Ham Park Charity and in that case being satisfied that it is in the best interests of the Charity and its beneficiaries, Members are asked to:

- Note the audit process undertaken for the land assets of the West Ham Park Charity and the steps to maintain the Asset Register.
- Note the list of charity land assets of the West Ham Park Charity included in the appendix to this report.

Main Report

Background

1. The Natural Environment Charity Review (NECR) is a wide-ranging review of the eight Natural Environment Charities across four main themes: Governance, Funding Model, Income Generation and Assets. This report summarises and updates on the Assets workstream, and the audit that has been carried out on the ownership of land assets (and the permanent buildings upon them) at West Ham Park (charity no. 206948).
2. The West Ham Park Charity is unincorporated, which means it does not have its own legal identity and cannot hold property itself. As the sole corporate trustee of the West Ham Park Charity, it is the CoLC that holds the Charity's property, in its capacity as trustee, on trust for the Charity's specific charitable purposes (and subject to management in accordance with the governing documents of the charity and requirements of charity law). For the purposes of this report, the assets held subject to these arrangements are referred to as 'charity land assets'.
3. Assets that are managed in complement to the activities of the NE charities but owned by the CoLC in its non-trustee capacity are referred to as complementary land or assets.

Current Position

4. The process used to audit the charity land assets of the NE charities involved Comptroller and City Solicitors (C&CS), City Surveyors (CSD), the NECR Team and Natural Environment Division Teams.
5. Although the land asset audit process varied slightly from charity to charity (dependent on complexity and information available) the process flow was generally as follows:
 - a. CoLC's existing lists of land parcels, Land Registry title numbers and addresses, compiled by CSD, were provided and reviewed.
 - b. Copies of Land Registers for each title were obtained (either from existing records or the Land Registry) and the details noted and checked against existing information.
 - c. A library of the collated information was created, including copies of title information indexed by charity and individual land parcel (as relevant).
 - d. Acquisition documentation (e.g. transfers and conveyances) were located (either from existing records or the Land Registry) and added to these libraries.
 - e. If acquisition documentation could not be located, or did not clearly identify the capacity in which the CoLC acquired the land, then further research was carried out. This included research in the CoLC's archives and on

committee reports and minutes/resolutions that authorised or discussed that acquisition.

- f. Following on from above, a Title Schedule (summarising the title and acquisition data and other research) was produced.
- g. Summary documentation outlining the land assets for each charity was produced and circulated to relevant CoLC staff (including the NECR Steering Group) for review and comment.
- h. To provide assurance that all registered charity land assets had been identified, a dataset of all property owned by companies in England and Wales was obtained from the Land Registry and interrogated using specialist software to identify land registered to the CoLC. The result was a list of titles by relevant county/district, which was cross-checked against the existing charity land asset information.
- i. Final versions of the summary documentation for each charity were brought to the NECR Steering Group and will be used as the basis for updating the Asset Register where necessary.

Outcomes

- 6. A list of the charity land assets for West Ham Park, along with a plan showing their location, is in the appendix. The general principle is that any permanent buildings located on those charity land assets are also assets of the West Ham Park Charity.
- 7. Should any additional assets or information come to light at a later date then the abovementioned principles will be applied as relevant, and the asset register updated following consultation with key officers from C&CS, CSD and NE.
- 8. Land assets that are managed in complement to the activities of the NE charities but held by the CoLC in its non-charity trustee capacities (City's Estate or City Fund), were also reviewed. These include operational sites, compounds, lodges, offices, paddocks, and tenanted farmland. As Members will be aware from the Complementary Land Policy and Land Use Appraisal Terms of Reference which came to your Committee earlier this year, such areas are now collectively referred to as 'Complementary Land' and separate workstreams on their governance, financial arrangements and use are underway. Heathfield House is used to support the operations of the West Ham Park charity as office space for staff working on the North London Open Spaces and for commercial rental to generate income.
- 9. The CoLC's Land & Property Terrier database will function as the Land Asset Register for the NE charity land assets. That database, as well as other corporate data systems relevant to management of the CoLC's assets (including Horizon

GIS mapping systems), will be updated as necessary to reflect the outcomes of the charity land asset audit process, ensuring consistent access to up-to-date information.

10. Most registered charities are subject to restrictions on disposing of their land by virtue of sections 117 to 129 in Part 7 of the Charities Act 2011 (as varied). To reflect these limitations on disposals of charity land, there is a prescribed form of restriction that must be entered in the title register of such land ('Charities Act restriction'). Applications will be made to the Land Registry to ensure that Charities Act restrictions are registered on all Land Registry titles for charity land assets at West Ham Park.

Key Data

11. A list of the charity land assets for West Ham Park is included as an appendix to this report.

Corporate & Strategic Implications

Strategic implications – These workstreams support Corporate Plan 2024-2029 particularly in Leading Sustainable Environment and Dynamic Economic Growth.

Financial implications – Future governance, use and management of complementary land will have financial implications for the associated charities that is outside of the scope of this report and will be covered in other workstreams.

Resource implications - Future governance, use and management of complementary land will have resource implications for the associated charities that is outside of the scope of this report and will be covered in other workstreams.

Legal implications – These are incorporated in the body of the report. It is also noted that the CoLC has various duties and obligations as trustee of the West Ham Park charity, including: to only act in the best interests of the charity; and otherwise to meet its obligations to hold the charity's relevant property in perpetuity as permanent endowment, and subject to management in accordance with the governing documents of the charity and requirements of charity law. The continued maintenance of an up-to-date Asset Register assists the CoLC to demonstrate compliance with its trustee obligations.

Risk implications - Risks are captured and monitored as part of the wider NECR and within the risk registers maintained by department. This project is not considered to present further risks not already considered.

Equalities implications – None

Climate implications - The Natural Environment Charities and their associated complementary land and assets are essential to achieving corporate Carbon Action Strategy goals and other environmental objectives.

Security implications - None

Conclusion

12. An audit of the charity land assets of the West Ham Park charity has been carried out. Processes and conclusions are included in this report for information.

Appendices

- Appendix 1 – List and plan of West Ham Park charity land assets.

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