

CHARITABLE TRUST COMMITTEE

Agenda

Date Wednesday 10 March 2021

Time 6.00 pm

Venue Virtual meeting - Virtual Meeting
https://www.oldham.gov.uk/info/200608/meetings/1940/live_council_meetings_online

- Notes
1. DECLARATIONS OF INTEREST- If a Member requires any advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services in advance of the meeting.
 2. CONTACT OFFICER for this Agenda is Constitutional Services email Constitutional.Services@Oldham.gov.uk
 3. PUBLIC QUESTIONS – Any member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the Contact officer by 12 Noon on Friday, 5 March 2021.
 4. FILMING – This meeting will be recorded for live and/or subsequent broadcast on the Council’s website. The whole of the meeting will be recorded, except where there are confidential or exempt items and the footage will be on our website. This activity promotes democratic engagement in accordance with section 100A(9) of the Local Government Act 1972.
Recording and reporting the Council’s meetings is subject to the law including the law of defamation, the Human Rights Act, the Data Protection Act and the law on public order offences.

MEMBERSHIP OF THE CHARITABLE TRUST COMMITTEE IS AS FOLLOWS:
Councillors F Hussain, Ali, Hamblett, Iqbal (Chair) and Stretton

Item No

- 1 Apologies For Absence
- 2 Urgent Business
Urgent business, if any, introduced by the Chair
- 3 Declarations of Interest
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 4 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

5 Minutes of Previous Meeting (Pages 1 - 2)

The Minutes of the meeting of the Charitable Trust Committee held on 2nd December 2020 are attached for approval.

6 High Crompton Park Trust (Pages 3 - 16)

7 Werneth Lifelong Learning Centre, Werneth Park, Frederick Street, Oldham (Pages 17 - 36)

CHARITABLE TRUST COMMITTEE
02/12/2020 at 6.00 pm



Oldham
Council

Present: Councillor Iqbal (Chair)
Councillors F Hussain, Ali, Hamblett and Stretton

Also in Attendance:

Elizabeth Cunningham-Doyle	Solicitor
Ben Hill	Principal Regeneration Officer
Mark Hardman	Constitutional Services

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

2 **URGENT BUSINESS**

There were no items of urgent business received.

3 **DECLARATIONS OF INTEREST**

During consideration of agenda item 6 (William Hague Trust - Update on the sale of the Hollies, Frederick Street, Werneth), Councillor Hussain determined that he had a personal interest in the item and indicated that he would take no further part in the consideration of the item.

4 **PUBLIC QUESTION TIME**

There were no public questions received.

5 **MINUTES OF PREVIOUS MEETING**

RESOLVED that the minutes of the meeting held on 23rd September 2020 be approved as a correct record.

6 **WILLIAM HAGUE TRUST - UPDATE ON THE SALE OF THE HOLLIES, FREDERICK STREET, WERNETH**

Members were reminded that, following agreement by this Committee, the Agreement for Sale of the Hollies to Greenstone Construction Ltd had been completed on 21st December 2018. Under the terms of this Agreement, Greenstone was required to pay £93,000 on exchange, £183,000 by 21st December 2019, and £640,500 by 21st June 2020 or within five days of receiving Planning Permission if that happened prior to that date. The initial payment was made at the exchange of contract.

In December 2019, Greenstone had requested an extension of time for completion of the purchase by a further six months and to make the final payment by 21st December 2020, citing unforeseen issues on another development site and delays accessing finance via the Housing Investment Fund. The

Committee approved this extension provided the second payment of £183,000 was made as per the original agreement. The second payment was received prior to the due date.



Greenstone had now approached the Council requesting a further extension of 12 months until 21st December 2021 and offering to pay a further £200,000 at this time. The reason for this further extension of time is given as various impacts the Covid-19 pandemic has had on the business and its other developments. Should this request for a further extension of time be granted, the Trustees would hold non-returnable funds of £476,000, with a further £440,500 to be paid in 12 months. Members were further asked that, should they be minded to agree to the requested extension, they also grant authority to vary the Agreement between the Council and Greenstone Construction Ltd.

During consideration of this item, Councillor Hussain determined that he had a personal interest in the item and took no further part in the consideration of the item, including the vote.

Members considered the extent of non-returnable funds that would be held by the Trust in agreeing to the request which appeared to demonstrate the commitment to the site held by Greenstone. Notwithstanding this, and the issues raised in the submitted report, there was a concern at the length of time this proposed development was now extending to. However, it was also noted that any decision to go back to the market could lead to further delay and increase costs.

RESOLVED that

1. the progress made with regards to the sale of The Hollies to Greenstone Construction Ltd be noted;
2. an extension period of 12 months until 21st December 2021 be approved on condition of the receipt of a further payment of £200,000;
3. authority be granted to vary the Agreement between the Council and Greenstone Construction Ltd accordingly.

The meeting started at 6.00 pm and ended at 6.18 pm



REPORT TO CHARITABLE TRUST COMMITTEE

HIGH CROMPTON PARK TRUST

Elizabeth Cunningham Doyle, Solicitor

10th March 2021

Reason for Decision

The purpose of the report is to:

- To seek the permission of the Charitable Trust Committee for the Director of Legal Services to execute the Declaration of Trust on behalf of the Charitable Trustees.

Recommendations

It is recommended that the Charitable Trust Committee:

- Approves the draft Declaration of Trust and authorises the Director of Legal Services to execute the Declaration of Trust on behalf of the Charitable Trustees.

1. Background

1.1 On 7th January the Charity Commission made a final order pursuant to a request made by the Charitable Trust Committee for permission to exchange one area of land in High Crompton Park with another area of land in High Crompton Park which was not the subject of the charitable trust. A plan showing the boundary of the High Crompton Park edged red and the two areas of land in question hatched green and yellow is appended to this report at Appendix 1. The exchanged land the which is the subject of this report is hatched green.

1.2 The order of the Charity Commission is appended to this report at Appendix 2. The terms of the order are as follows:

“Being satisfied that it is expedient in the interest of the charity to do so, the Commission authorises Oldham Borough Council as trustee of the charity to enter into a land swap of the land described in Part 1 of the schedule to this order with the land described in Part 2 of the schedule, which is owned by Oldham Borough Council, even though Oldham Borough Council is a connected party (as defined in section 118 of the Charities Act 2011)
SCHEDULE PART 1”

1.2 Following receipt of the final order from the Charity Commission officers of the Council endeavoured to execute the order and register the land swap at HM Land Registry. However, before the Land Registry will register the title to the exchanged land hatched green on the plan, in the name of the High Crompton Part Trust, it requires the Charitable Trustees to make a declaration of trust. The declaration of trust is appended to this report at Appendix 3.

1.3 The Trustees are invited to peruse the declaration of trust and if they are satisfied with the terms of the trust as drawn to authorise the Director of Legal Services to execute the document on behalf of the Charitable Trustees.

2. Consultation

N/A

3. Financial Implications

Disbursement costs of £40, which have already been defrayed from within existing budgets, no further disbursements are expected. (J Kara)

4. Legal Services Comments

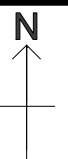
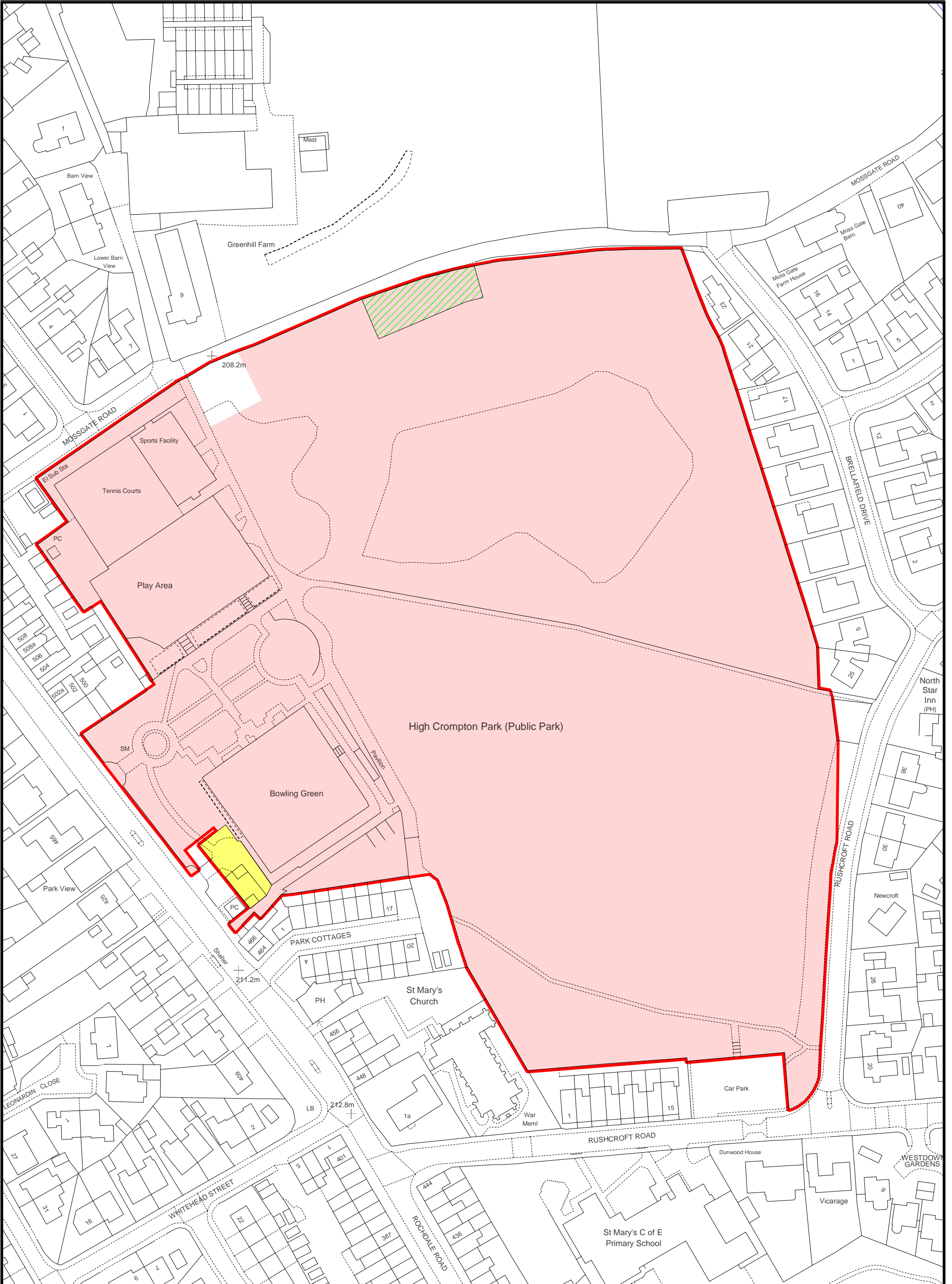
4.1 Notwithstanding the Charity Commission’s Order. authorising the land swap HM Land Registry requires the Charitable Trustees to make a declaration of trust before the Land Registry will make the necessary changes to the Land Register and the Title Plan

4.2 A copy of the draft Declaration of Trust and the plan showing the area of exchanged land is appended to this report.

4.3 Therefore, in order to complete the land swap and to ensure that the exchanged land is included in the title for High Crompton Park Trust it is recommended that the Charitable Trustees approve the draft Declaration of Trust and authorise the Director of Legal Services for Oldham Council to execute the Declaration of Trust on behalf of the Charitable Trustees.

-
5. **Co-operative Agenda**
 6. N/A
 7. **IT Implications**
 - 7.1. N/A
 8. **Property Implications**
 - 8.1. All Property implications are covered in this report. (Roslayn Smith)
 - 8.2. **Environmental and Health & Safety Implications**
 - 8.3. N/A
 - 8.4. **Equality, community cohesion and crime implications**
 - 8.5. N/A
 - 8.6. **Equality Impact Assessment Completed?**
 - 8.7. N/A
 - 8.8. **Key Decision**
 - 8.9. N/A
 - 8.10. **Key Decision Reference**
 - 8.11. Not applicable
 9. **Background Papers**
 - 9.1. N/A
 10. **Appendices**
 - 10.1. Appendix One – Plan
 - 10.2. Appendix Two – Order of the Charity Commission dated 7th January 2020
 - 10.3. Appendix Three – Draft Declaration of Trust

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**ORDER OF
THE CHARITY COMMISSION FOR ENGLAND AND WALES**

to authorise the disposal of charity land under the powers given in the Charities Act 2011

dated the

7 January 2020

for the charity known as

HIGH CROMPTON PARK TRUST

Rosie Stokes

**A member of staff of the Charity Commission authorised to act on behalf of the
Charity Commission**

ORDER

Being satisfied that it is expedient in the interest of the charity to do so, the Commission authorises Oldham Borough Council as trustee of the charity to enter into a land swap of the land described in Part 1 of the schedule to this order with the land described in Part 2 of the schedule, which is owned by Oldham Borough Council, even though Oldham Borough Council is a connected party (as defined in section 118 of the Charities Act 2011).

SCHEDULE

PART 1

Land at High Crompton Park, Rochdale Road, Shaw, Oldham registered at HM Land Registry under title number MAN321088 which is subject to a deed of gift on part of the land including the subject land which totals 320 square metres.

PART 2

Land at High Crompton Park, Rochdale Road, Shaw, Oldham registered at HM Land Registry under title number MAN321088 which lies adjacent to the northern boundary of the park which is not subject to a deed of gift which totals 566 square metres.

DATED

2021

DECLARATION OF TRUST

BY

OLDHAM BOROUGH COUNCIL

DRAFT

CONTENTS

CLAUSE

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DRAFT

By OLDHAM BOROUGH COUNCIL of Civic Centre, West Street, Oldham OL1 1UL
(Council).

BACKGROUND

- (A) The Council is the owner (inter alia) of the First Property (as defined in Clause 1.1) and the Second Property (as defined in Clause 1.1) and the title of the Council is freehold and is registered at H M Land Registry under title number MAN321088.
- (B) On 7 January 2020 (being the date of the Order as defined by Clause 1.1) the First Property was by virtue of the Order released from the trusts of the Charity (as defined in Clause 1.1) and the Second Property was made subject to the trusts of the Charity.
- (C) The Council wishes to declare the effect of the Order on the First Property and the Second Property and on the extent of the Charity Property.

1. INTERPRETATION

The following definitions and rules of interpretation apply in this deed.

1.1 Definitions:

Charity: High Crompton Park Trust which is a non-exempt charity.

Charity Property: the freehold property at High Crompton Park, Rushcroft Road, Shaw, Oldham and being part of the property registered at HM Land Registry under title number MAN321088 as is shown coloured pink and also shown coloured pink cross-hatched green on the Plan.

First Property: the freehold property lying off Rochdale Road, Shaw, Oldham and being that part of property registered at HM Land Registry under title number MAN321088 as is shown coloured yellow on the Plan.

Order: the order of the Charity Commission dated 7 January 2020 relating to the Charity (Reference No 1244/1920 and Case Number: C-506230).

Plan: the plan annexed to this deed.

Second Property: the freehold property at High Crompton Park, adjoining Mossgate Road, Shaw, Oldham and being that part of property registered at HM Land Registry under title number MAN321088 as is shown coloured pink cross-hatched green on the Plan.

- 1.2 Clause, Schedule and paragraph headings shall not affect the interpretation of this deed.

- 1.3 Unless the context otherwise requires, words in the singular shall include the plural and words in the plural shall include the singular.
- 1.4 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.5 A reference to any party shall include that party's personal representatives, successors and permitted assigns.
- 1.6 References to clauses and the Schedule are to the clauses and the Schedule of this deed.
- 1.7 A reference to laws in general is a reference to all local, national and directly applicable supra-national laws as amended, extended or re-enacted from time to time and shall include all subordinate laws made from time to time under them and all orders, notices, codes of practice and guidance made under them.
- 1.8 The Schedule forms part of this deed and shall have effect as if set out in full in the body of this deed. Any reference to this deed includes the Schedule.
- 1.9 A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.10 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.

2. DECLARATION OF TRUST

- 2.1 The Council declares that it holds the Charity Property on trust for the Charity as a result of the Order whereby the First Property ceased to be subject to the trusts of the Charity and the Second Property was made subject to the trusts of the Charity.

3. CHARITY AND RESTRICTIONS ON DEALINGS

It is further declared and confirmed that the Charity Property is held by (or in trust for) the Charity, a non-exempt charity, and the restrictions on disposition imposed by section 117-121 of the Charities Act 2011 will apply to the land (subject to section 117(3) of that Act).

4. REGISTRATION

- 4.1 The Council confirms its intention to apply to HM Land Registry for the entry of a standard form E restriction in the Proprietorship Register of the Property against the Charity Property only in the following terms:

No disposition by the proprietor of the registered estate to which section 117-121 or section 124 of the Charities Act 2011 applies is to be registered unless the instrument contains a certificate complying with section 122(3) or section 125(2) of that Act as appropriate.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

DRAFT

EXECUTED as a deed by the said
OLDHAM BOROUGH COUNCIL acting
in its capacity as charity trustee for
High Crompton Park Trust and affixing
its common seal in the presence of:

Signed:.....
Authorised Officer

Name:

Position:

DRAFT



Report to CHARITABLE TRUST COMMITTEE

Werneth Lifelong Learning Centre, Werneth Park, Frederick Street, Oldham

Officer Contact: Dominic Whelan, Chief Operating Officer, Unity Partnership

Report Author: Daniel Meadowcroft, Highways Lead and Monitoring Officer
Ext. 2049

10th March 2021

Reason for Decision

To seek permission from the Charitable Trust Committee to obtain the necessary agreements, including a disposal of land, to install a fibre-optic cable and associated infrastructure into Werneth Lifelong Learning Centre located in Werneth Park

Recommendations

It is recommended that the Charitable Trust Committee:

1. Instruct officers to commission a surveyor's report on behalf of the committee for the proposed disposal

And should the surveyor's report advise that the proposed disposal should be advertised,

2. Agree to advertise the proposed disposal for such period and in such manner as is advised in the surveyor's report

Werneth Lifelong Learning Centre

1 Background

- 1.1 Werneth Park, including the Lifelong Learning Centre, was gifted to the Council on the 8th January 1936, by Dame Marjory Lees. The Council consequently holds the park and its associated buildings in Trust and this is registered with the Charity Commission under Registered Number 521273 (described as Werneth Park).
- 1.2 Oldham Council is taking part in a Greater Manchester wide Local Full Fibre Network (LFFN) programme to provide fibre connectivity to public buildings, partly funded by a grant from central government and partly funded by the council. Virgin Media Business Limited was awarded the contract to deliver this infrastructure following a competitive tender process.
- 1.3 Werneth Lifelong Learning Centre is situated on the charity land edged red on the plan appended to this report, labelled “Community Centre” on the plan (Appendix 1).
- 1.4 The building is currently used by the Community / Adult Learning Section as an Education Centre for adults.
- 1.5 The provision of this infrastructure will support the Centre in delivering its services to Oldham residents, helping them to improve their skillset – an objective in the Oldham Plan.

2 Current Position

- 2.1 Werneth Lifelong Learning Centre has been put forward for inclusion in the LFFN programme. A preliminary survey of the site has been undertaken to identify a proposed route into the building
- 2.2 Oldham Council will need to enter into a wayleave agreement with Virgin Media Business Limited (the supplier) and Virgin Media Limited (the operator) to allow the required infrastructure and cable to be laid both within the grounds of Werneth Park and in Werneth Lifelong Learning Centre. The route identified for the proposed connection and Wayleave Agreement is appended to this report (Appendix 2).
- 2.3 As the land is owned by the Council in its capacity as a Charitable Trust the council is therefore required to seek consent from the trustees (Charitable Trust Committee) to agree a disposal which will enable the Council to enter into the proposed wayleave agreement.
- 2.4 Although the proposed granting of a wayleave is not a disposal in property law, the Charity Commission’s guidance states that the granting of a wayleave on charitable land should be considered a disposal.
- 2.5 In order to agree to the disposal the trustees are required to:
 - Instruct a qualified surveyor acting exclusively for the charity to write a report on the proposed disposal
 - Advertise the proposed disposal for such period and in such manner as is advised in the surveyor’s report*
 - Consider the surveyor’s report and decide that they are satisfied that the terms of the proposed disposal are the best that can reasonably be obtained for the charity.

* N.B. It is only necessary for the trustees to advertise the proposed disposal if advised to do so by the surveyor in their report.

3 **Options/Alternatives**

3.1 There are two recommendations:

1. Instruct officers to commission a surveyor's report on behalf of the committee for the proposed disposal

And should the surveyor's report advise that the proposed disposal should be advertised,

2. Agree to advertise the proposed disposal for such period and in such manner as is advised in the surveyor's report

3.2 Option 1

- Agree to recommendations 1 and 2

Option 2

- Agree to recommendation 1 only

Option 3

- Not to agree to the recommendations

4 **Preferred Option**

4.1 The preferred Option is Option 1 – to instruct officers to commission of a surveyor's report on behalf of the committee for the proposed disposal, and if required by the surveyor's report to do so, agree to advertising of the disposal.

4.2 Agreeing a disposal is a necessary to grant a wayleave agreement to Virgin Media which will allow the fibre-optic cable to be installed into the building. Selecting Option 1 would allow the trustees to fulfil their obligations in the most timely manner.

4.3 If the committee agrees to Option 1 or 2, the report will be brought to this committee for its consideration and the committee will be asked to agree to the disposal to allow the council to enter into the wayleave agreement with Virgin Media.

4.4 If the committee does not agree to commission a survey, then it would not be possible to enter into a wayleave agreement. Consequently it would not be possible to proceed with the works and Werneth Lifelong Learning Centre would not receive the benefit of the proposed fibre connection.

5 **Consultation**

5.1 If the committee agrees to Option 1 and the surveyor's report requires the disposal to be advertised, it will be advertised for such period and in such a manner as required by the report. Any comments received as a result of this advertisement will be brought to this committee for its consideration along with the surveyor's report.

6 Financial Implications

6.1 The Cabinet report 'Local Full Fibre Networks Programme' approved on 19 August 2019, approved a project sum of £1,585k, including £60k specifically for project management resources, this will be used to fund the surveyors report and the advert if it is required. Sufficient funds remain to fund the proposed expenditure (Andy Cooper).

7 Legal Services Comments

7.1 The recommendations in the report follow the Charity Commission's Operational Guidance on Disposals of charity land. The guidance confirms that the requirements of Section 119 of Charities Act 2011 also apply to the grant of a wayleave.

7.2 " Section 119 requires the charity trustees to:

- *Obtain and consider a written report on the proposed disposition from a qualified surveyor instructed by the trustees and acting exclusively for the charity (section 119(1)(a), ChA 2011); and*
- *Advertise the proposed disposition for such period and in such manner as is advised in the surveyor's report (unless the surveyor advises that it would not be in the best interests of the charity to advertise the proposed disposition) (section 119(1)(b), ChA 2011); and*
- *Decide that they are satisfied, having considered the surveyor's report, that the terms on which the disposition is proposed to be made are the best that can reasonably be obtained for the charity (section 119(1)(c), ChA 2011).*

7.3 *It is therefore only necessary for the charity's trustees to advertise the proposed disposition, if advised to do so by the surveyor in their report.*

7.4 *The surveyor's report must cover the prescribed matters referred to in the Schedule to the Charities (Qualified Surveyors' Reports) Regulations 1992".*

7.5 Provided the Charitable Trustees follow the guidance issued by the Charity Commission the Trustees will be in compliance with the legal requirements of Section 119 Charities Act 2011 in relation to the disposal of land including a wayleave. (Elizabeth Cunningham Doyle)

8. Co-operative Agenda

8.1 The provision of this infrastructure will support the Centre in delivering its services to Oldham residents, helping them to improve their skillset – an objective in the Oldham Plan.

Improving the skills of Oldham residents will open up opportunities that otherwise might not have been available to them, championing fairness and equality of opportunity for those residents.

9 Human Resources Comments

9.1 N/A

10 Risk Assessments

10.1 [Reports should be forwarded where appropriate to the Head of Corporate Governance for comments. Matters should be discussed in advance of the report with the Head of Corporate Governance who will advise on the risk profile to the Council.]

-
- 11 **IT Implications**
- 11.1 IT active equipment is located within the Comms Cabinet within the basement. The only changes required for the future would be upgrades / replacements to active equipment already in use. (John Cook)
- 12 **Property Implications**
- 12.1 “The installation of LFFN fibre connectivity to the building, would enhance the Life Long Learning Centre’s training functions and supports the Council’s Digital Transformation Programme. Therefore I would agree to this disposal to facilitate the wayleave agreement.” (Peter Wood)
- 13 **Procurement Implications**
- 13.1 None
- 14 **Environmental and Health & Safety Implications**
- 14.1 The proposed connection will involve excavating a tarmac section of the car park at the Frederick Road entrance to the park to lay ducting to the building for the cable to run into. The proposed route will follow existing communication routes into the building and the tarmac will be reinstated like-for-like. The ducting will be installed directly into the cellar where the IT network cabinet is located so there will be zero visual impact to the outside of the building.
- 14.2 All works will be carried out according to approved risk assessments and method statements, and the works area and excavation will be appropriately signed and guarded to ensure safety of service users, park users and operatives during the works.
- 15 **Equality, community cohesion and crime implications**
- 15.1 The proposed works will benefit people of a lower socio-economic status and people who are learning English as a second language. The proposed connection would assist the centre in delivering its services to residents, helping them to improve their skills which may open up better-paid employment opportunities which would in turn reduce poverty.
- 16 **Implications for Children and Young People**
- 16.1 None.
- 17 **Equality Impact Assessment Completed?**
- 17.1 No
- 18 **Key Decision**
- 18.1 No
- 19 **Key Decision Reference**
- 19.1 N/A
- 20 **Background Papers**
- 20.1 Deed of Gift – Werneth Park, 8 January 1936
-



DEED OF GIFT
wernth park 8th Jan

21 **Appendices**

21.1 Appendix 1 – Red edged plan of Werneth Park and Werneth Lifelong Learning Centre



1446 Werneth
Lifelong Learning Centre

21.2 Appendix 2 – Proposed route for wayleave agreement



1446 Werneth
Lifelong Learning Centre



1446 Werneth
Lifelong Learning Centre

See
24/1/1910

157
Handwritten notes

806
2

THIS CONVEYANCE AND DEED OF GIFT

is made the Eighth day of January One thousand nine hundred and thirty six **Between** Marjory Lees of Werneth Park Oldham in the County of Lancaster Spinster (hereinafter called 'the Donor') of the one part and **The Mayor Aldermen and Burgesses of the County Borough of Oldham in the County of Lancaster** (hereinafter called 'the Corporation') of the other part.



Whereas the Donor is seized in fee simple in possession free from incumbrances of the plots of land and buildings hereinafter described and intended to be hereby conveyed subject as hereinafter mentioned.



And whereas the Donor is desirous that the said plots of land and buildings shall be preserved for and dedicated to the use of the Public as a Public Park.

Now this Deed witnesseth as follows:

- In** pursuance of that her desire the Donor as Settlor hereby freely and voluntarily and without valuable consideration grants unto the Corporation **All** those several plots of land situate and being at Werneth Park Oldham aforesaid (part of a close formerly called 'The Great Meadow') containing together in the whole Twenty acres or thereabouts which said plots of land are delineated and described in the plan drawn on a Conveyance made the fifth day of November one thousand nine hundred and thirty five between the Donor Sir Arthur Adlington Heaworth and Alexander Liddell Poole of the first part The Donor and Eric George Claydon of the second part The Donor Sir Arthur Adlington Heaworth and Alexander Liddell Poole of the third part and the Donor of the fourth part and therein respectively edged red green and blue and coloured yellow. **And** also **All** those the Mansion House Music Room Lidge's Garage Outbuildings and other erections and appurtenances thereto erected and built on the said several plots of land or some of them all of which said plots of land and premises are known as 'Werneth Park' Oldham aforesaid **Together** with the appurtenances and particularly the benefit of the grantee covenants and conditions contained in the several deeds mentioned in the Schedule but Except and reserving all mines and minerals and otherwise as accepted and reserved in

a Conveyance made the seventeenth day of April one thousand eight hundred and forty six between John Frederick Lees and George Lees of the one part and Eli Lees John Platt Samuel Radcliffe and Josiah Radcliffe of the other part TO HOLD the said premises hereby granted unto and to the use of the Corporation in fee simple Subject to the provisions restrictions covenants agreements conditions and stipulations contained mentioned or referred to in the said Conveyance of the seventeenth day of April one thousand eight hundred and forty six and Upon the Trusts hereinafter declared.

2. The Corporation hereby declare that they will hold the said premises Upon trust to preserve the same at all times hereafter as an open space to be known as "Werneth Park" for the recreation and enjoyment of the people of Oldham in such manner and subject to such regulations in all respects as the Council of the Corporation may from time to time think proper but so that only such buildings may be erected thereon as will add to the existing amenities of the said Park.

In witness whereof the Donor has hereunto set her hand and seal and the Corporate Seal of the Corporation has been hereunto affixed the day and year first before written.

The Schedule before referred to.

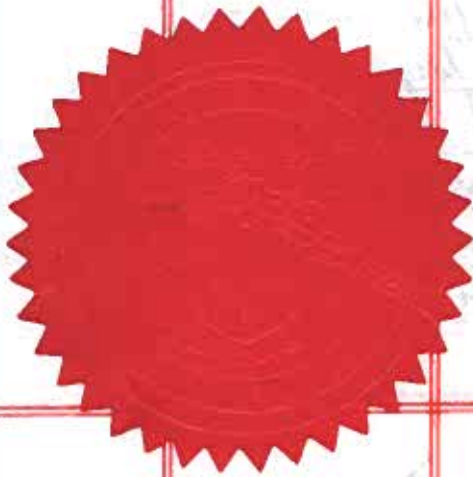
- 27th October 1851. Conveyance Eli Lees John Platt Samuel Radcliffe and Josiah Radcliffe (1) Andrew Schofield (2) and James Platt (3)
- 29th July 1902 Conveyance Sarah Anne Lees Edward Trustram and Alfred Emmott (1) Dorothy Lees (2) Marjory Lees (3) and the Mayor Aldermen and Burgesses of the County Borough of Oldham (4)

Signed sealed and delivered }
 by the said Marjory Lees in }
 the presence of Emma Carson
Adm. or Rdnam

Marjory Lees



The Corporate Seal of the Mayor Aldermen and Burgesses of the County Borough of Oldham was hereunto affixed in the presence of Robt. W. Rainbird Mayor
Wm. J. Hillman Town Clerk.



MEMORANDUM endorsed on the Conveyance and Deed of Gift dated the 8th January 1936 made between Marjory Lees Sir Arthur Adlington Haworth and Alexander Liddell Poole (1) the said Marjory Lees Sir Arthur Adlington Haworth and Alexander Liddell Poole (3) and the said Marjory Lees (4).

That by a Deed of Grant dated the 1st day of May 1989 and made between The Oldham Borough Council (1) and North West Water Authority (2) the said Council granted to the said Authority in fee simple certain rights, easements, powers and privileges affecting the land more particularly delineated and coloured blue on the plan number P/13/231 annexed to the said Deed of Grant being part of the land described in the within-written Conveyance and Deed of Gift subject to the observance and performance of the covenants on the part of the said Authority.

Doc ref: 30,160 5(3)
SM

ENROLLED IN THE BOOKS OF THE CHARITY COMMISSIONERS
FOR ENGLAND AND WALES PURSUANT TO THE PROVISIONS
OF SECTION 2 (2) OF THE MORTMAIN AND CHARITABLE USES
ACT, 1893, AND SECTION 1 OF THE MORTMAIN AND CHAR-
ITABLE USES ACT AMENDMENT ACT, 1892.

(-W. 65 Page 4.9.)

21st May 1936.

D 2920

47
2920

Dated 8th January 1936

906

(3)

Miss Maryory Lees

(for)

The County Borough of
Oldham

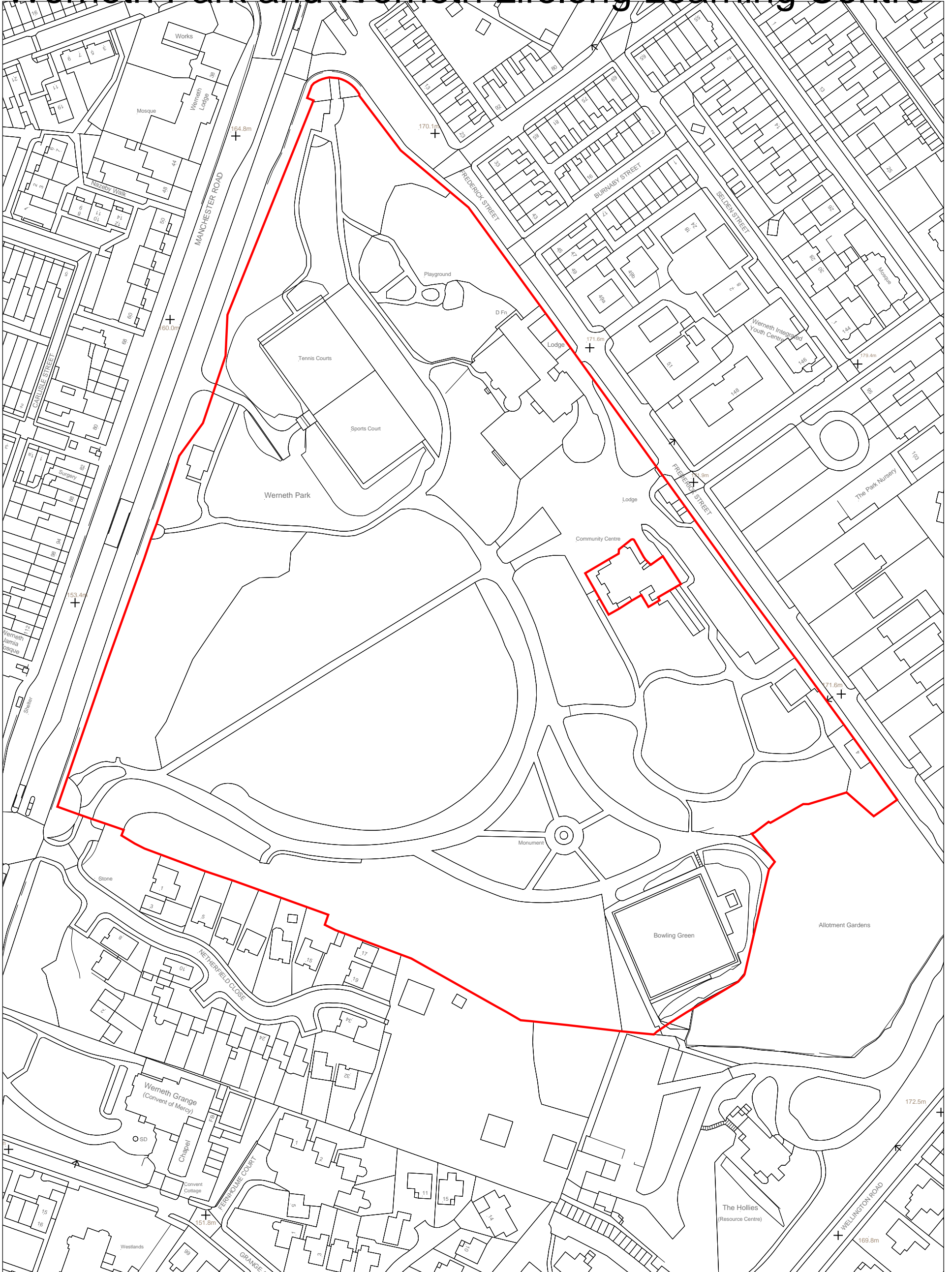
Superior
Seed of Gift of Hemeth
Park Oldham in the County
of Lancaster

6.13.

452/36

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Werneth Park and Werneth Lifelong Learning Centre



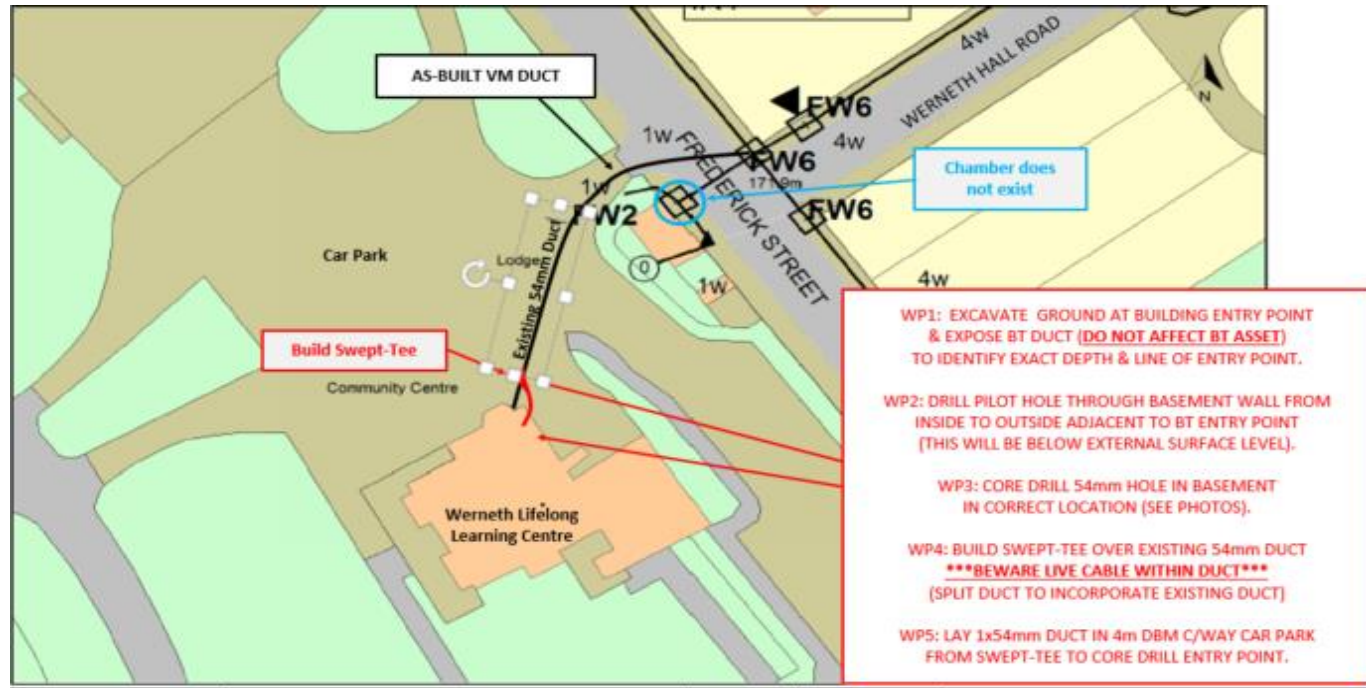
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Division:	
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Oldham Council
 Civic Centre
 West Street
 Oldham
 OL1 1UH



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Our Reference:	1285811-2373093
Customer:	GMCA-LFFN-SITE 1446
Works Address:	Frederick Street, Oldham.OL8 1RB



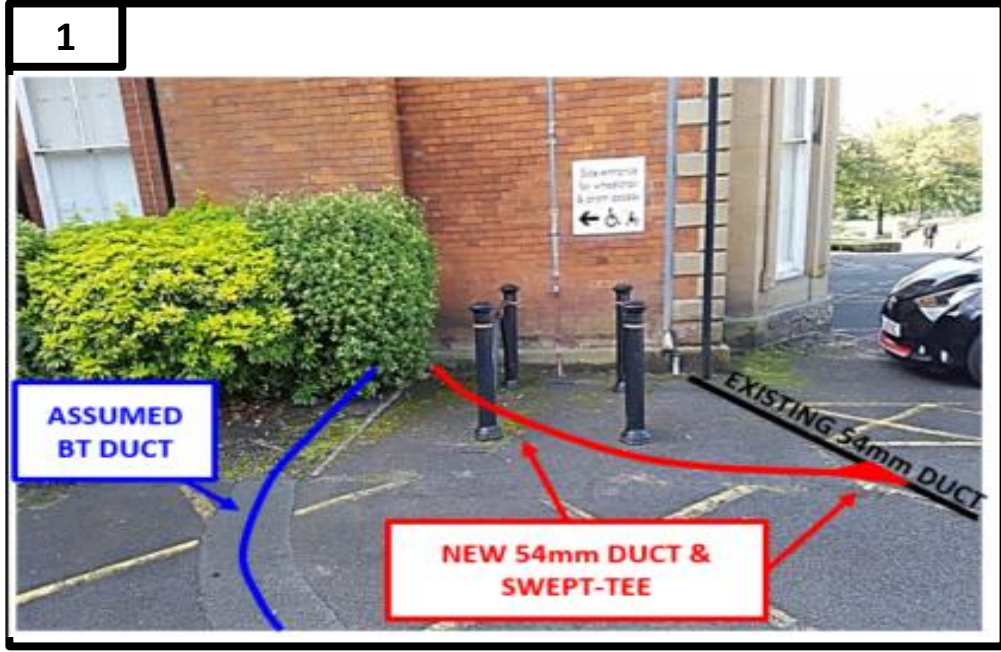
<p>Any modifications to the drawing or use of alternative items to those specified must be agreed with Virgin Media's local planning department</p> <p>Reproduction from the Ordnance Survey map by Virgin Media with permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright Virgin Media (100019209)</p>	<p>CIVILS</p> <p>Duct Path with number of ways</p> <p>Chamber with and without Equipment</p> <p>Overground and Underground Cabinet</p> <p>Swept Tee and SID with number of feeds</p> <p>National Network / Other Operator</p>	<p>As-Built</p> <p>1w</p> <p>Chamber</p> <p>Overground and Underground Cabinet</p> <p>Swept Tee and SID</p> <p>National Network / Other Operator</p>	<p>Planned</p> <p>xxx</p> <p>xxx</p> <p>xxx</p> <p>xxx</p>	<p>FIBRE</p> <p>Fibre Cable</p> <p>National Network Fibre Cable</p> <p>Fibre Splice</p> <p>National Network Fibre Splice</p>	<p>As-Built</p> <p>xxx</p> <p>xxx</p> <p>xxx</p> <p>xxx</p>	Originator	Jitendra Patel	 <p>Virgin Media 280 Bartley Way Bartley Wood Business Park Hook Hampshire RG27 9UP</p>
						Contact Number		
Internal Use Only								

Our Reference:	1285811-2373093
Customer:	GMCA-LFFN-SITE 1446
Works Address:	Frederick Street, Oldham.OL8 1RB

Work Point Reference Details

No.	Description of exactly what activities should be carried out
1	WP1: EXCAVATE GROUND AT BUILDING ENTRY POINT & EXPOSE BT DUCT (DO NOT AFFECT BT ASSET) TO IDENTIFY EXACT DEPTH & LINE OF ENTRY POINT.
2	WP2: DRILL PILOT HOLE THROUGH BASEMENT WALL FROM INSIDE TO OUTSIDE ADJACENT TO BT ENTRY POINT (THIS WILL BE BELOW EXTERNAL SURFACE LEVEL).
3	WP3: CORE DRILL 54mm HOLE IN BASEMENT IN CORRECT LOCATION (SEE PHOTOS).
4	WP4: BUILD SWEEP-TEE OVER EXISTING 54mm DUCT ***BEWARE LIVE CABLE WITHIN DUCT*** (SPLIT DUCT TO INCORPORATE EXISTING DUCT)
5	WP5: LAY 1x54mm DUCT IN 4m DBM C/WAY CAR PARK FROM SWEEP-TEE TO CORE DRILL ENTRY POINT.

THIS JOB IS DEPENDANT ON - NBU235528 - OLDHAM TRUNK UPGRADE



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Planned	CIVILS	As-Built	Planned	FIBRE	As-Built
1w	Duct Path with number of ways	1w	xxx	Fibre Cable	xxx
■ □	Chamber with and without Equipment	■ □	xxx	National Network Fibre Cable	xxx
▼ ●	Overground and Underground Cabinet	▼ ●	○ xxx	Fibre Splice	● xxx
② ②	Swept Tee and SID with number of feeds	② ②	○ xxx	National Network Fibre Splice	● xxx
NN ○○	National Network / Other Operator	NN ○○			

Originator	Jitendra Patel
Contact Number	
Issue Date	30/10/2020 14:41:05
Office	Manchester
Line Manager	Samantha Russell



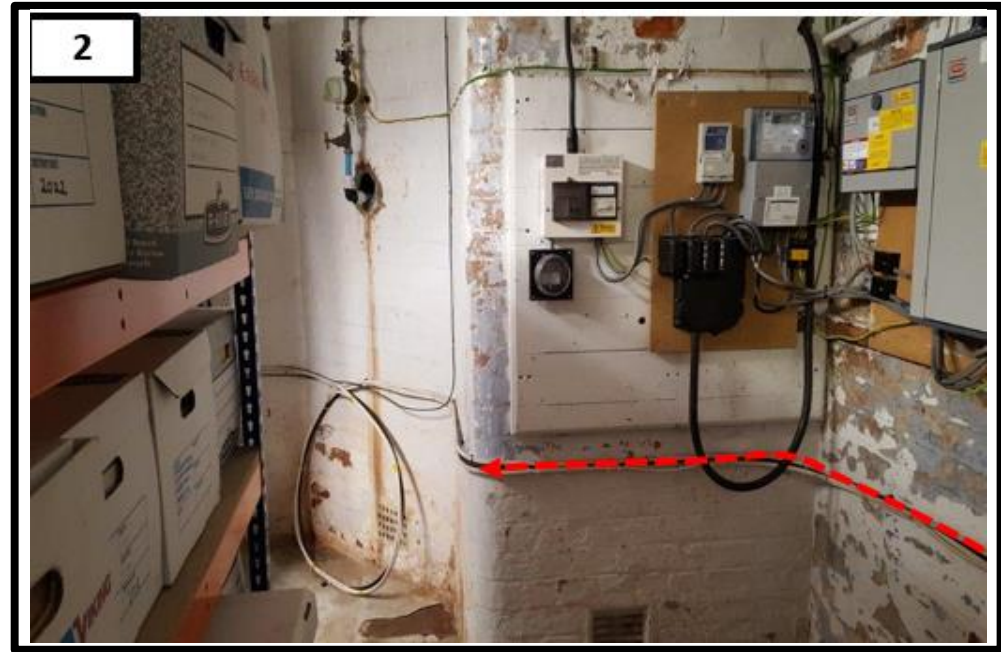
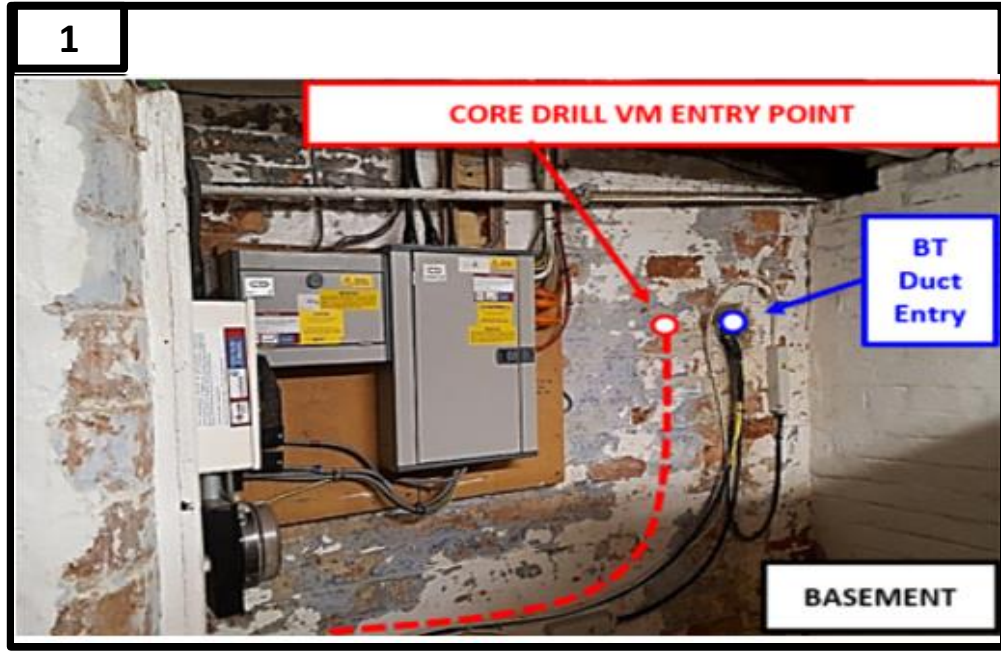
Virgin Media
 280 Bartley Way
 Bartley Wood Business Park
 Hook
 Hampshire
 RG27 9UP

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Our Reference:	1285811-2373093
Customer:	GMCA-LFFN-SITE 1446
Works Address:	Frederick Street, Oldham.OL8 1RB

Work Point Reference Details

No.	Description of exactly what activities should be carried out
1	12F CABLE TO ENTER BASEMENT VIA CORE DRILLED HOLE ADJACENT TO BT ENTRY POINT.
2	ROUTE CABLE AROUND BASEMENT WALL IN KOPEX (APX 8M) FOLLOWING BT CABLES.
3	NEW FIBER TRAY TO BE INSTALLED
4	Terminate 12F on 24 Port Tray and install in customers comms cabinet. Please label Tray - GMCA-ID1446- CAL0353846
5	THIS JOB IS DEPENDANT ON - NBU235528 - OLDHAM TRUNK UPGRADE



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Planned	CIVILS	As-Built	Planned	FIBRE	As-Built
1w	Duct Path with number of ways	1w	xxx	Fibre Cable	xxx
■ □	Chamber with and without Equipment	■ □	xxx	National Network Fibre Cable	xxx
▼ ●	Overground and Underground Cabinet	▼ ●	○ xxx	Fibre Splice	○ xxx
② ②	Swept Tee and SID with number of feeds	② ②	○ xxx	National Network Fibre Splice	○ xxx
NN OO	National Network / Other Operator	NN OO			

Originator	Jitendra Patel
Contact Number	
Issue Date	14/07/2020 10:58:35
Office	Manchester
Line Manager	Ryan Snowden

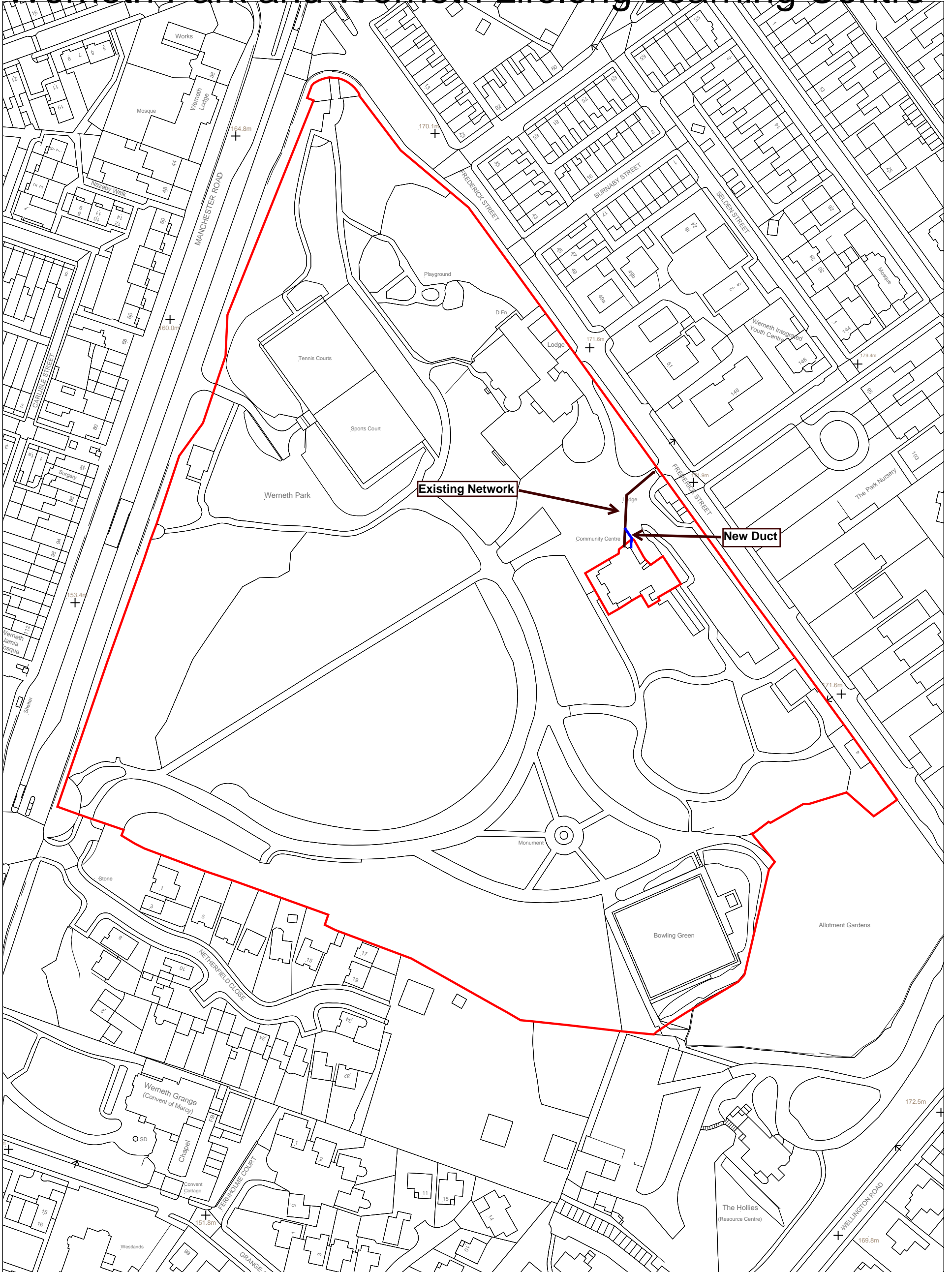
Virgin Media

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Hook
Hampshire
RG27 9UP

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Werneth Park and Werneth Lifelong Learning Centre



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Division:	
Drawing no:	To scale at A3
Date: 22:01:21	Scale: 1:1500

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