

# **Cabinet**

**Wednesday, 7 February 2018**

## **Additional Information**

**Appendices referred to in the following reports:**

- 10. Creation of a Swindon Music Trust**
- 12. Swindon Borough Playing Pitch Strategy**
- 13. Special Educational Needs and Disability (SEND) Capital Investment Strategy**



**Paper for Swindon Music Service (“the Service”)**

**1. Introduction**

- 1.1 The purpose of this paper is to give some broad guidance on the legal aspects of the Service transferring to an entity which is independent of the local authority, including options for structures and what would be involved in the transfer process, and in particular:
  - 1.1.1 consider and compare the following two legal structures that would be suitable for establishing an independent entity to run Swindon Music Service and lead Make Music Swindon (the borough’s music hub), focusing on:
    - (a) a charity, either a charitable company limited by guarantee (CLG) or a charitable incorporated organisation (CIO); and
    - (b) a Community Interest Company limited by guarantee (CIC);
  - 1.1.2 outline the process and timescales for establishing a charity or a CIC;
  - 1.1.3 if a charity, outline the extent to which the charity can carry out trading activities and whether a separate trading subsidiary might need to be established.
  - 1.1.4 outline the process for transferring the staff, contracts, assets and liabilities of the Service to an independent charity or CIC; and the other legal agreements that may need to be put in place; and
  - 1.1.5 give you an idea of the potential legal costs of the above work, if BWB were to provide independent legal advice to the Service.
- 1.2 It is currently envisaged that the independent entity would be operative in 2018.
- 1.3 Whilst this paper does consider how Make Music Swindon could be involved in the governance structure of the new entity, it does not look at its current or future structure and potential options. If you would like us to look into this further, please let us know.

**Music Services in General**

- 1.4 In this paper, “Music Services” refers to the Services provided in Council areas to facilitate and offer musical opportunities to young people both in schools and through wider music education programmes.
- 1.5 Since 2012, Music Services have been part funded through Arts Council England (“ACE”) grants; and with the funding being given to lead partners of Music Education Hubs.
- 1.6 As a result of the reduction in Council funding and the new funding/hub structure, many Music Services are considering establishing (or have already established) an independent structure to take forward all or part of their Music Services.

- 1.7 This is part of a wider landscape in which many local authorities are “spinning out” their services (such as fire services, health related services, library services, adult education services, Music Service, etc.) to independent charities and social enterprises. We have assisted many such services (including several Music Services) on their spinning out journey.
- 1.8 From our experience the most popular legal structure for new independent entities running Music Services and receiving the transfer of service from the Council is an incorporated charitable structure, either a charitable CLG or a CIO, with a commercial trading arm to pursue commercial activities (if necessary). However, other legal structures could be appropriate, such as a community interest company limited by share or by guarantee, a company limited by guarantee with no charitable status, a co-operative or community benefit societies, and a commercial company limited by shares.
- 1.9 Most of the Music Services we have advised or spoken to have also reached the conclusion to establish themselves as a charity (either a charitable CLG or a CIO) or a community interest company. This paper focuses on these options although I have included at Schedule 1 a summary of other legal forms for information purposes. If you would like any further advice on these other legal structures, please let me know.

## 2. Comparison of a charity (charitable CLG and CIO) and a CIC

As indicated above, the most appropriate legal forms for a Music Service are a charitable company limited by guarantee (Charitable CLG), a charitable incorporated organisation (CIO) or a community interest company (CIC). The table below summarises the key features of the two charitable legal forms (Charitable CLG and CIO) and the CIC:

Feature	Charitable CLG or CIO registered with Charity Commission for England and Wales	Community Interest Company (CIC) registered with the CIC Regulator
<b>Legal Entity and registration process</b>	<p>Will require creation of:</p> <ul style="list-style-type: none"> <li>• (For CLG) a new charitable company limited by guarantee registered at Companies House. It then needs to be registered as a charity with the Charity Commission for England &amp; Wales. This is a separate registration process from the Companies House registration;</li> <li>• (For CIO) a new charitable incorporated organisation registered with the Charity Commission.</li> </ul> <p>Ongoing annual reporting, administration and company/secretarial support required for the charitable CLG or CIO.</p>	<p>Will require creation of a new company limited by guarantee registered at Companies House and with the CIC Regulator. The Companies House and CIC Regulator both assess the application, but this is done as part of the same application process.</p> <p>Ongoing annual reporting, administration and company secretarial support required for the company.</p>

Feature	Charitable CLG or CIO registered with Charity Commission for England and Wales	Community Interest Company (CIC) registered with the CIC Regulator
<b>Establishment Requirements and Steps</b>	<p>The following steps must be taken to establish the charity:</p> <ul style="list-style-type: none"> <li>• Identify trustees (recommended good practice minimum 3 but it would be normal to have between 4-9 for this kind of entity).</li> <li>• (For CLG) prepare draft Articles and incorporate Company (by registration) at Companies House – this is a relatively straightforward application process.</li> <li>• (For CIO) prepare constitution for CIO.</li> <li>• Develop list of activities/business plan.</li> <li>• Completion and submission of Charity Commission application. The Charity Commission is likely to scrutinise the application and may ask questions about the charity's activities, its public benefit and relationship with the Council, etc.</li> <li>• Total registration process from submission of application to the Charity Commission (including, for CLG option, incorporation at Companies House) usually takes from between 2-6 months depending on the urgency and complexity. It is possible (in exceptional circumstances) to expedite Charity Commission applications in special circumstances for a quicker registration.</li> </ul>	<p>The following steps must take place:</p> <ul style="list-style-type: none"> <li>• Identify Directors (no minimum, but it would be normal to have between 4-9 for this kind of entity).</li> <li>• Prepare draft Articles and CIC 36 form on which brief detail is given about the CIC's purpose and future activities. Must be able to show the CIC's activities will "benefit the community". It should be relatively straightforward for the proposed Music Services vehicle to satisfy this test.</li> <li>• Incorporate Company (register company) at Companies House. The application will also be considered by the CIC Regulator. It is unlikely the CIC Regulator will ask any questions about the CIC application and will pass the CIC for registration as a CIC.</li> <li>• Total registration process from submission of application usually takes from between 3-6 weeks.</li> </ul>
<b>Regulators?</b>	<p>Companies House (for CLG) and Charity Commission.</p> <p>(For CLG) Companies House is a light-touch regulator. It is necessary to file information with Companies House but it is unlikely to scrutinise the Charity's activities.</p> <p>The Charity Commission has</p>	<p>Companies House and CIC Regulator.</p> <p>Companies House is a light-touch regulator. It is necessary to file information with Companies House but it is unlikely to scrutinise the CIC's activities.</p> <p>The CIC Regulator is also relatively light touch but has some powers of</p>

Feature	Charitable CLG or CIO registered with Charity Commission for England and Wales	Community Interest Company (CIC) registered with the CIC Regulator
	wider powers of scrutiny and regulation into the charity's affairs and conduct of the trustees including to investigate trustees, remove trustees, appoint new trustees, and appoint a Receiver; and it is necessary for the Charity Commission to consent to (for example) certain changes to the charity's constitution.	scrutiny, eg. to investigate and appoint and dismiss Directors.
<b>CIC Regulator's powers</b>	No.	Yes – the CIC Regulator has more limited regulatory power than the Charity Commission.
<b>Ongoing reporting and administration</b>	(For CLG) Annual Accounts and Annual Return filed with Companies House and Charity Commission.  (For CIO) Annual Accounts and Annual Return filed with the Charity Commission only.  The Accounts and Annual Return are in the public domain.  There are detailed ongoing administrative requirements in operating a CLG or CIO including board meetings, record-keeping, public benefit reporting, etc.	Annual Accounts and Annual Return filed with Companies House and CIC Regulator, and are in the public domain.  There are detailed ongoing administrative requirements in operating a CIC including board meetings and record-keeping. These requirements are less onerous than operating a charitable company.
<b>Rules on Conflicts of Interest</b>	The trustees must comply with Charity Commission guidance on managing their conflicts of interest with the Charity. CLGs must also comply with company law.	The directors must comply with company law on managing their conflicts of interest with the company.
<b>Control and autonomy</b>	The charity will ultimately be run by trustees under a duty to act in the best interests of the charity in accordance with its charitable purposes.  The staff team will report to the trustees.	The CIC directors will be under a duty to act in the best interests of the CIC members, in accordance with its specified community benefit purposes.  The staff team will report to the directors.
<b>Payment of directors/ trustees</b>	The general rule is that charity trustees cannot be paid for their role as trustees or be employees of the Charity. There are exceptions to this rule. For example, it may be possible for the person employed as Chief	Directors of a CIC can be employees and can be paid for their role as directors.

Feature	Charitable CLG or CIO registered with Charity Commission for England and Wales	Community Interest Company (CIC) registered with the CIC Regulator
	<p>Executive of the Charity to be a trustee, but we would need to apply for special consent from the Charity Commission as part of the application process which could delay and complicate the application. (There is also no guarantee the Commission would agree to this request.)</p> <p>This general rule preventing payment of trustees/employees as trustees means that the people running the service will need to give control of the service to a group of voluntary trustees. They may be invited or encouraged to attend and speak at board meetings but will not be entitled to vote.</p> <p>The charity constitution will allow trustees to be paid for services (eg. consultancy/financial/artistic services) provided to the charity on a freelance basis.</p>	
<b>Reputation</b>	Charities enjoy a kudos/credibility – as they must exclusively further charitable (non commercial) objects, and the public, staff and stakeholders may be more likely to “trust” the activities of a registered charity.	The CIC benefits from the “social enterprise” brand. However, for many members of the public, this is not as widely recognised as the charity brand.
<b>Tax</b>	<p>Charities enjoy a range of charitable tax reliefs that are not available to CICs including:</p> <ul style="list-style-type: none"> <li>• No corporation tax on profits generated from charitable trading.</li> <li>• Gift Aid (UK tax payers can obtain tax relief and donations to the charity are increased by 20%).</li> <li>• Inheritance tax relief.</li> <li>• Stamp duty land tax relief.</li> <li>• Business rates relief on premises occupied.</li> </ul>	There are no specific tax reliefs for CICs although it may be possible to get some business rates relief on premises (depending on the Council)
<b>Funding</b>	Most trusts, foundations, government funding sources will	Many, but not all, trusts, foundations, government funding sources will accept applications

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	accept applications from charities.	from CICs. However, some trusts and foundations or local authorities may find it easier to fund, or only accept applications from, charities.
<b>Trading</b>	In the main, charities can trade only in furtherance of their charitable objects (although up to 25% of income up to a maximum of £50,000 can be carried out by the charity. Above this amount the charity would need to set up a wholly owned subsidiary.	It is easier for a CIC to carry out most trading activities. It needs to show that the trading furthers the general community benefit of the CIC. There is a relatively low threshold to satisfy this.
<b>BWB legal costs</b>	<p>It typically costs £5,000 - £7,000 (excluding VAT) to establish a charitable CLG or a CIO. For this kind of charity where there is a Council relationship, costs may be towards or above the higher end as the Charity Commission usually has questions about the relationship. Please note it will also increase costs if you would like us to negotiate with the Charity Commission that the Chief Executive and/or a staff representative should be on the trustee board.</p> <p>It typically costs between £1,500 to £2,000 plus VAT to establish a trading subsidiary, which would include putting in place associated documentation such as a resource sharing agreement between the charity and the subsidiary.</p>	It typically costs between £2,000 - £3,500 (exclusive VAT) to establish a CIC.

### ***Establishment of a charity – main advantages in comparison to CIC***

- 2.1 Building on the information provided in the table above, we have identified below what we expect the main relevant advantages of establishing a charity in comparison with establishing a CIC for the Service.
  - 2.1.1 Charities must only carry out activities within this charitable purpose which therefore looks in the social mission of the service.
  - 2.1.2 Charity tax reliefs – see list above.
  - 2.1.3 Stakeholders, staff and members of the public are more likely to understand and trust the charity model.



- 2.1.4 Easier to raise funds from trusts, foundation, government as a charity (although CICs are often recognised as well).
- 2.1.5 Crucially, the Council may only wish to transfer the Service to a charity – this is not a legal requirement but depends on the view of the Council.

***Establishment of a CIC – main advantages in comparison to charity***

- 2.1.6 An unlimited number of employees of the CIC (including the Chief Executive) can serve on the board of directors (and be paid for doing so) and have ultimate control of the CIC. In a charity unless the constitution provides otherwise, they may attend and speak at board meetings but not vote. It is possible to have the chief executive and/or a staff representative on the board of trustees of a charity, but an argument will need to be made to the Charity Commission and there can never be a majority of employees on board of the charity.
- 2.1.7 The application process is quicker and easier.
- 2.1.8 It is cheaper to set up a CIC rather than a charity.
- 2.1.9 The CIC Regulator is more light touch than the Charity Commission as a regulator.
- 2.2 If the charity route is preferred, there is a further choice of legal form to be made. Charitable CLGs and CIOs are both incorporated legal forms, having their own legal personality and ability to enter into legal relationships (for example, with staff, suppliers and the general public) in their own name. Both forms have a two-tier structure of trustees (also known as company directors in a CLG) and members. Both forms also offer limited liability status. This means that, in most situations, the incorporated organisation itself will be responsible for the organisation's debts or for any other liabilities that might arise from its legal relationships. It will generally be the case that, except in relatively rare circumstances, if the organisation does not have the funds to meet those debts and liabilities, it will become insolvent but the members and trustees/directors will be protected from personal liability.
- 2.3 However there are some advantages and disadvantages of each:

***Benefits of a CLG over a CIO***

- 2.3.1 The CIO is a relatively new and untested legal structure. It has existed for just over 2 years. As a result, there is still some uncertainty as to how CIOs will operate in practice and, as yet, there is no established legal framework to fall back on to resolve any future issues. In contrast, CLGs are tried and tested and there is a substantial framework of developed company law and precedents to fall back on.
- 2.3.2 Some financial institutions have indicated that they may be less willing to lend to CIOs. In particular, there has been concern about the absence of a Register of Charges for CIOs. Currently, for example, a bank setting up an overdraft facility for a CLG can register a charge at Companies House which gives the lender some limited protections. The fact that there is no Register of Charges for CIOs (and no personal liability on a loan for CIO trustees) may influence banks and other lenders not to make certain types of lending available to CIOs. In contrast, CLGs are much more familiar to funders and service providers and, as a result, borrowing might be easier. It is worth noting, though, that the concern about lending to CIOs will probably not apply to loans to fund purchases of property because the lender can register a charge at the Land Registry.

- 2.3.3 A CLG can be incorporated quickly, within 24 hours of submitting the documents to Companies House if necessary. A CLG has a legal personality from the point of incorporation and can enter into legal arrangements and begin to trade from that point, while the application to register with the Charity Commission is being considered. In comparison, a CIO only has legal personality once it is registered with the Charity Commission. This can take up to six months or longer during which time the organisation does not exist as a legal entity.
- 2.3.4 A member of a CIO has potentially fewer rights than a member of a CLG. For example, whereas members of a company have rights (conferred by the Companies Act 2006) to call a meeting, to vote by proxy, to call for a poll or to remove a charity trustee, a member of a CIO will have none of those rights unless the constitution expressly includes them. While it would be possible expressly to include them, if ensuring the rights of members is important to you, you might prefer the protections set out in statute that a CLG would provide.
- 2.3.5 In terms of decision making by members, a CIO is less flexible than a CLG. Although a CLG is subject to certain minimum requirements by the Companies Act, it does provide more flexibility for members' decision-making. For example, the CIO structure requires unanimity for some members' written resolutions, whereas the company structure requires at most 75% (and in some cases, a simple majority) of members voting in favour.
- 2.3.6 One consequence of the CIO's legal status being linked to registration is that if the Commission subsequently uses its powers to remove the charity from the register, the CIO ceases to exist entirely. Some organisations choose not to become a CIO because they do not want their legal status so closely linked to their status as a registered charity.
- 2.3.7 It is possible to convert a CLG into a CIO, if it is deemed to be a preferable form at some point in the future. However, it is not possible to convert a CIO into a CLG.

#### ***Benefits of a CIO over a CLG***

- 2.3.8 A CIO is the only bespoke vehicle for charities and has been designed with charities in mind. In contrast, a CLG is a standard legal form (a company) that is then adapted for charities. One consequence of this is that, with a CLG, trustees have a dual role as both charity trustees and company directors, which some trustees can find confusing.
- 2.3.9 Registration as a CIO is a single operation, with one application resulting in both incorporation and charity registration. A CLG needs to be incorporated with Companies House and then registered with the Charities Commission.
- 2.3.10 For CIOs, there is just a single regulator – the Charity Commission. A CLG has two regulators – the Charity Commission and Companies House. This means that a CLG has to file two returns, while a CIO only has to file one. The amount of administration involved in operating a CLG, therefore, is greater than that involved in operating a CIO.
- 2.3.11 Unlike with filings at Companies House, there are currently no fines for failure to file accounts on time with the Charity Commission (but this may change in the future).
- 2.3.12 A CIO only has to comply with the Charities Acts and CIO regulations, whereas a CLG has to comply with company legislation. Again, this means that being a CLG requires a degree of additional administration and compliance procedures.

- 2.3.13 CIO constitutions can be drafted to allow for decisions at meetings without voting, ie. by consensus. A CLG would not be able to do this.
- 2.3.14 A CIO constitution can permit several things which a new CLG's constitution cannot. For example:
- (a) giving the Chair a casting vote at members' meetings; and
  - (b) stipulating that by becoming a member, each member is deemed to have consented to receive communications by email.
- 2.3.15 In contrast, the provisions for CLGs are more restrictive. The company must receive express consent from a member before it can communicate with him/her by email.
- 2.3.16 There is more privacy for the members of a CIO, since the register of members is not open to the public. The register of members for a CLG must be made available to the public at the registered office, on request.
- 2.3.17 A CIO can be set up without the need to show that £5,000 has been raised as there is no income threshold. In contrast, a CLG is generally required to demonstrate an income of more than £5,000 before it can register.
- 2.3.18 Members (and not just trustees) of a CIO have an express duty to exercise their rights in the interests of the charity, which assists to clarify their role in the governance of the organisation. It is not clear whether members of a CLG have the same duty.
- 2.4 There has been a move in the sector to register more and more charities as CIOs and, based on the limited information we have to date, in our view the CIO would be the preferred structure for the new entity.

***Are there any drawbacks to being a charity?***

***Regulation and registration***

- 2.5 Before choosing to be a charity it is worth noting some of the potential drawbacks.
- 2.5.1 ***Regulation and registration.*** As set out in the table above, all charities established in England are regulated by the Charity Commission. The Commission has considerable regulatory powers to investigate and scrutinise the actions of a charity and its trustees.
- 2.5.2 Once registered with the Charity Commission, the charity will need to file certain information with the Commission, and make certain disclosures to the public about its status. Registered charities are required to file their accounts and an annual report with the Charity Commission. In addition, changes to the trustees, constitution, or a "serious incident" (e.g. an incident of fraud), will trigger further filing requirements. As a company, filings of accounts and changes in officers will also need to be made at Companies House. While generally not considered to be unduly burdensome, these filing requirements incur administrative costs. They also bring with them a level of publicity on the activities and funding of the charity.
- 2.5.3 ***Duties of charity trustees and conflicts of interest.*** The new organisation would need to appoint a board of directors who will be the charity trustees. Charity trustees are subject to a

range of duties under charity law, the most important of which is to advance their charity's purposes. These include running their charity properly, acting reasonably and prudently, protecting the charity's assets and acting in the charity's interests at all times. More detail is available in the BWB publication "Duties of charity trustees" which is available here <http://www.bwbllp.com/knowledge/2015/05/08/duties-of-charity-trustees/>.

2.5.4 Trustees are also under a duty to avoid, and properly manage, any conflicts of interest. There are strict rules and guidelines on how charities deal with conflicts of interest between a charity and its trustees. These extend to:

- (a) ensuring that if a trustee, or someone with a connection to a trustee, is to benefit financially from the Foundation, proper procedures would need to be followed; and
- (b) putting procedures in place to manage the situation where a trustee may have conflicting loyalties to the Foundation and another cause or organisation.

2.5.5 **Unpaid board.** As a general rule, charities must have an unpaid board which arguably creates an inefficient split between executive and non-executive, and meaning it is not possible to pay the latter.

2.5.6 **Restrictions on trading.** There are some restrictions on trading but these can be largely dealt with by establishing a trading subsidiary (see below).

#### ***Trading subsidiary***

2.6 There are a number of activities which the Service intends to deliver which are more of a commercial nature and, going forward, this is an area that the charity will wish to develop further in order to diversify its sources of income.

2.7 Whilst there is no restriction on charities undertaking primary purpose trading, this being trade which is carried out by a charity in fulfilment of its main or primary purpose, trading which is non-primary purpose is restricted.

Some examples of these are set out below:

<b>Primary purpose trading</b>	<b>Non-primary purpose trading</b>
Provision of music education to young people and live music shows	Corporate team building
Instrument loans to schools	Running a cafe
Ticket sales for music performances	Catering or facilities management for corporate or private functions
Running a day nursery (assuming it is within the charity's objects)	

2.8 Charities are permitted to derive up to 25% of their turnover from non-primary purpose trading, subject to a maximum tax-exempt limit of £50,000. Above this threshold, the profits

of the trading activity would be liable for corporation tax (unless it fell within certain other tax exemptions). If this happens, the Trustees would be in breach of their duties because they would be acting outside the charity's purposes (in carrying out the trade) and because they would have allowed the tax liability to arise through not structuring the trading appropriately, they would be failing in their duty to safeguard the charity's assets.

- 2.9 If it is likely that this threshold will be exceeded, a subsidiary company should be established alongside the new organisation to undertake the trading activity. This is a very common structure for charities to use – most household name charities have a subsidiary trading company.
- 2.10 Typically a trading company is set up as a private company limited by shares in which the sole shareholder is the charity.
- 2.11 Since the trading company is not a charity, there are no restrictions on its ability to trade. Unlike a charity it is liable to corporation tax, but usually the profits which it makes are paid up to the parent charity under the gift aid scheme. This reduces the trading company's taxable profits – in many cases to zero, which means that it has no tax to pay. This enables the charity to undertake a trading activity, but via a mechanism that is tax efficient.
- 2.12 Whilst there can be an overlap between the boards of the charity and the trading company there should be at least two independent directors on the board of the trading company with the rest of board including some (but not all) of the charity's directors. This ensures that there is an independent element among the directors of the trading company and that there are some directors of the charity who are independent of the trading company and can properly evaluate the relationship between the charity and the trading company.
- 2.13 The charity would need to ensure it recovers the proper costs of any of its assets used by the trading company and this should include not only direct costs (e.g. staff salaries) but indirect costs as well (e.g. a proper proportion of overheads). This management charge should be structured so that the charity merely recovers its actual costs and does not make a profit, as the charity would be liable to tax on such profit and the activity would constitute a trade which the charity, as a charity, should not carry on.

### **3. The process of transferring out of Swindon Borough Council ("the Council")**

- 3.1 Transfers out of Council vary greatly depending on a number of factors including the specifics of the service that is transferring out and the role that the Council takes in the transfer.
- 3.2 It will be very helpful if the Council's legal team is involved in the transfer at an early stage, so we can discuss roles and responsibilities in the transfer and the process. **However, it is also important that at an early stage the board of the new entity receives independent legal advice on the transfer and potential risks.**
- 3.3 We have listed below an outline of a typical transfer and the issues that arise. However, please note that there may be different issues or not all of the below may apply to the Service. It is only once we have carried out the due diligence process below that we can obtain an accurate picture of the Service, the potential legal issues and likely timescales (and a more accurate estimate on the legal costs – see paragraph 7).

#### 4. Outline of the process of a typical transfer out of Council

##### *Initial scoping meeting*

- 4.1 We usually find it is useful to have a scoping meeting with the Head of Service and other members of the team that will be working on the transfer. It is also helpful to meet the member of the Council's HR team that will be dealing with the transfer often also attends part of the meeting to discuss the staff and pensions issues. A representative from the finance department (which may be responsible for pensions) should attend, particular if there needs to be agreement on any ongoing funding or surpluses going across to the charity on transfer or any loan arrangements (for example, for working capital of the new organisation until such time as it has built up a level of reserves). If property is being leased to the charity by the Council a representative from the property department should also attend.
- 4.2 It is also preferable to have members of the Council's legal team involved in part of this meeting to discuss the transfer process and who will take responsibility for key tasks. (For example, whether the Council's legal team will produce the first draft of the legal agreements – as the Council may wish to use its own precedents.)

##### *Establishment of the new entity*

- 4.3 At the same time as the due diligence process is undertaken (see below), BWB will work with the Service to establish the new charity or CIC. As part of this process, it is necessary to decide the governance structure of the new entity. There are some key issues to consider:
- 4.3.1 **Number of trustees/directors of the new entity.** There should be a minimum of three, with five to eight recognised as an optimum number. It is not necessary to have all the trustees in place straight away but at least three are required before the charity application can be submitted.
- 4.3.2 **Composition of the Board.** In deciding on Board composition consideration should be given to the skills and expertise required for the Board and the how key stakeholders will be involved. You have identified key stakeholders as staff, schools and parents. Make Music Swindon is also a key stakeholder which could be included in the governance structure. For example, the Board could contain a member of staff elected by the wider staff group, a hub organisation representative, a local authority officer, a parent, a young person or a school representative and co-opted members with particular skills.

The focus should always be on ensuring there are sufficient skills on the Board for it to operate effectively such as financial, business, charity, educational experience on a Music Services board and avoiding a prescriptive board composition. You have already identified fundraising as a particular skill which is needed, alongside finance, legal and HR.

It should be borne in mind that Board members are not there to represent a particular group. Whilst they can help present the views of a particular stakeholder group and contribute their practical experience they must act in the best interests of the organisation when making decisions as members of the Board. Stakeholders can be engaged in other ways.

- 4.3.3 **Ownership of the new entity.** Each of the legal structures described above have a two tier structure. The directors/trustees oversee the organisation and are responsible for strategy

and are the ultimate line managers of those who undertake the day to day running of the company/CIO. The owners of the organisation are its members, who have ultimate control. Unlike shareholders, however, they do not, in any of the scenarios above, make any financial investment which would result in a financial return.

- 4.4 There are a myriad of governance arrangements possible. The following options, or variations of them, may be appropriate:

***Option 1: A fully democratic structure with staff, schools, parents, hub organisations as members***

- 4.5 The advantage of this option is that key stakeholders feel represented. One member, one vote is not a requirement of a charitable CLG or a CIC or a CIO so it would be possible to have weighted voting. However, if the membership grows significantly it can be both time consuming and costly to manage – for example, a members' register would need to be held and updated, and annual general meetings organised. Stakeholders may have no real interest being a company/CIO member which can lead to low turnout at members' meetings and more vocal/active members having a disproportionate voice. Additionally, having the staff (for example) as members could swing the balance of power too far in their direction; they could, for example, remove the board if they passed a decision by a majority of them as members. It may be possible to minimise the likelihood of this.
- 4.6 If this option was taken, some or all of the board would be elected by the members. It would also be possible for the board to appoint individuals who had particular skills or experience which the board considered desirable.

***Option 2: A community partnership model with the hub organisations (and other stakeholders) as members***

- 4.7 The advantage of this model is that it does not have as high an administrative cost of the fully democratic mode of option 1 but does allow provide representation for key stakeholders to feel represented. If the aim of the new entity was to integrate Make Music Swindon more fully into its structure this could be a way of doing so, giving these organisations ultimate ownership of the new entity. The disadvantage is that where there are conflicts of interest between members or even simply differences of opinion in the correct approach, the new entity may become immersed in exploring these differences rather than being able to respond effectively to challenges and opportunities. This could be a particular problem here if hub organisations are delivery partners to the new entity.
- 4.8 If this option was taken, each member would appoint an individual to the board. Again, it would also be possible for the board to appoint individuals who had particular skills or experience which the board considered desirable.

***Option 3: An oligarchy model with a select group of individuals as members and trustees***

- 4.9 In this model each individual appointed as a trustee/director is automatically appointed as a member. The individuals might first be selected by interested parties according to their skill and experience or by some other process. Further trustee/directors would be appointed by the existing board, again according to skill and experience. Provision could probably be made for the board to include the chief executive, a staff representative and other key

stakeholders such as the music hub and schools and/or the chief executive. This would therefore provide a greater balance in involvement of the various key stakeholders. The staff representative could be elected by the staff whilst the chief executive would be an ex officio position.

- 4.10 This model is simpler to manage and administer than options 1 and 2 and, to date, the majority of the music services we have established have been set up with this governance structure.
- 4.11 This structure on its own may not be considered as sufficiently inclusive of stakeholders but they can be involved in other ways, for example as 'associate members'. This would not give them the full legal rights of members but certain specific rights according to what is set out in the constitution. Another option would be to have one or more advisory committees which could be consulted and provide recommendations to the board. As you have already identified, there are other established mechanisms in place to represent stakeholders, such as Make Music Swindon and associated sub groups.
- 4.12 *Council involvement.* The Council may expect or want to have a representative on the new entity board. However, as it is unlikely to be providing the new entity with any funding, its case for representation on the board is weak and it could in any event maintain its connections with the new entity in other ways, such as continued involvement in Make Music Swindon. There are various legal implications of having a Council representative on the board of the new entity (and this can delay the Charity Commission registration process), so we would need to discuss further with you.
- 4.13 We generally **recommend option 3** for the governance structure as this provides a simple, lean and efficient governance structure but there may be specific circumstances which would mean that one of the other models is more appropriate.

#### ***Due diligence***

- 4.14 After the initial scoping meeting, BWB will prepare a due diligence questionnaire for the Council asking it to provide further information about the transferring Service. The purpose of the questionnaire is to gain an accurate picture of the Service, the potential legal issues, the timescales for transfer and the risks to the new entity when accepting the transfer of Service. The due diligence questionnaire asks questions or for further information about the following:
- 4.14.1 **The contracts/grants** – that will transfer from the Council to the Service (for example, with ACE, suppliers, delivery partners, freelancers, schools (SLAs), loan agreements with parents, etc.) and whether these can be transferred to the new entity if the consent of the other parties is required.
- 4.14.2 **The staff** – who are the PAYE employees of the Service and who will transfer to the new entity under TUPE.
- 4.14.3 **The pension provision for staff** – and the extent to which the new entity will be required to match the pension provision of the transferring staff.
- 4.14.4 **Any freehold or leasehold land or other property arrangements** – that will transfer to the new entity. This could include premises hire agreements with schools.



- 4.14.5 **The other assets of the Service** – including the physical assets (such as musical instruments, storage units, music curriculum library materials, computers, AV and digital equipment, archives, computer records and databases) intellectual property (such as publications and branding, etc.) and funding commitments.
- 4.14.6 **The liabilities of the Service** – such as debts, disputes with employees and third parties, reputational issues, loans, etc.

***Staff consultation process about the transfer and other TUPE requirements***

- 4.15 For further information see Section 6 of this paper.

***Staff restructure***

- 4.16 For further information see Section 5 of this paper.

***Negotiation of entry for the new entity into the relevant pension schemes***

- 4.17 We will need to negotiate entry for the new entity to relevant pension schemes such as the Local Government Pension Scheme and the Teachers' Pension Scheme. For further information see paragraph 5 of this paper.

***Negotiation of the transfer deed with the Council***

- 4.18 To achieve the transfer, a transfer deed or agreement will need to be entered into between the Council and new entity. This document will include details of:
- 4.18.1 what is transferring to the new entity (using the information that has been collected as part of the due diligence exercise);
- 4.18.2 the obligations of the new entity (for example, to take responsibility for all the assets, contracts, staff and liabilities from the date of transfer); and
- 4.18.3 the obligations of the Council (for example, it may be possible to negotiate warranties with the Council under which they agree to be liable for any redundancy liability for the period the staff were employed by the Council).
- 4.19 The Council may want to base the transfer agreement on its own precedent. This may be based on previous transfers of services out of the Council, for example, academy transfers. In our experience, these often need considerable negotiation and/or amendment. In preference, we would start with our own precedent.

***Negotiation of other relevant contracts with the Council***

- 4.20 It is likely there will need to be put in place other legal agreements with the Council at the same time as entering into the transfer deed. For example:
- 4.20.1 **Grant agreement** – the Council may agree to grant funds to the new entity for a period of time to use in furtherance of its activities. In addition, there may be an opportunity to negotiate some seed funding for the new entity, particularly as there will be a cost saving to the Council following the transfer (see 5.3 below). It may be necessary to look at State Aid issues if a grant agreement is entered into with the Council. (The State Aid regulatory

regime applies where a public body, such as a Council, provides assistance to an entity which has the potential to distort competition.)

- 4.20.2 **Services agreement** – the Council may wish to enter into a contract for services, for example, for the new entity to provide music educational services for payment from the Council. Again, we understand that this is unlikely. If a services agreement is entered into with the Council, the Council may need to conduct a public procurement process to comply with EU procurement legislation although there may also be legitimate ways of avoiding this.
- 4.20.3 **Lease agreement** – if the new entity is going to be using Council premises, lease agreement(s) will need to be entered into with the Council or transferred to the new entity. Noting that the premises will be a core community asset by delivering music services to the community and in order to maximise the potential for the charity to obtain grant funding, the lease terms should be acceptable to grant funders, for example by providing a 25 year term at a peppercorn rent with no forfeiture of the lease on insolvency.
- 4.20.4 **Licences granting consent** – if the new entity is being transferred or leased property that the Council occupies under a lease or if it intends to carry out new alterations to the premises, Licence(s) granting consent may be needed.
- 4.20.5 **Hire agreement** – if there are hire agreements currently with Schools for use of premises, new hire agreements will need to be negotiated to be granted to the new entity.
- 4.20.6 **Hub arrangements** - If it is intended that the new entity will be able to share the premises with or sublet other organisations, the lease will need to include flexibility allowing for this. This could be simply to allow sharing with and hiring to other music organisations and individuals providing the music lessons or similar services from the property. However, if a “community hub” is intended, wider wording will be needed in the draft lease. If the new entity is to be a charity and wishes to charge discounted rents to non-music charities, the objects of the charity will need to be drafted to ensure they are wide enough to cover this.
- 4.20.7 **Back office service agreement** – the new entity may consider buying back certain services from the Council, perhaps for a transitional period (for example, payroll, HR and/or IT). This arrangement would be set out in a back office service agreement.

## 5. Staffing Issues: restructuring

- 5.1 If it is proposed to change the staffing structure that exists within the Service pre-pre-transfer, and the main reason, or the only reason for making changes is the spin-out, resulting dismissals may well be automatically unfair. It will be important to consider the circumstances carefully, in order to assess the potential risks – it is certainly not inevitable that all dismissals will always be automatically unfair (for instance where the reason for any proposed changes is unrelated to the spin-out). There may also be alternative approaches that could be followed, such as conducting a pre-spin-out consultation exercise with the aim of simplifying any post-transfer changes. This is a legally complex area and specific advice will be needed.
- 5.2 It may well worth considering whether it is possible to negotiate some additional funding from the Council to help cover restructuring costs, especially if undertaking the restructure will represents a cost saving to the Council.

- 5.3 If any changes to the staffing structure are proposed or anticipated 'in connection with' the transfer, these will be 'measures' and will need to be notified to the representatives of affected employees.

## **6. Staffing Issues: TUPE, contractual arrangements and pensions**

- 6.1 In a transfer situation the Transfer of Undertakings (Protection of Employment) Regulations 2006 are likely to apply. These Regulations are essentially aimed at giving employees protection and will operate (unless an employee disagrees) to transfer an employee's contract of employment to the new entity, which will become the employer in place of the Council. The change in employer happens automatically, by operation of law, providing certain conditions are met relating (i) to the general situation and (ii) to particular employees.

### ***The Council's obligations towards its existing employees***

- 6.2 The Council needs to identify which of its employees will be 'Affected Employees'. It is assumed that the Council recognises a union (or unions) in respect of all those affected employees. If so, the union(s) will be the 'Appropriate Representative' for TUPE purposes. (If a union is not recognised in relation to some or all affected employees, it may be necessary to invite employees to elect representatives.) The Council has a duty to provide certain information (also prescribed by the TUPE Regulations) to the correct Appropriate Representative(s).
- 6.3 If the Council is itself proposing to undertake any significant changes to staff rules or contractual terms (known as "measures") in connection with the transfer, then it would also have a duty to consult with the Union about those measures. However, the Council does not have to consult about any measures proposed by the new entity; it only has to inform the relevant union about those measures.
- 6.4 The TUPE Regulations also set out certain obligations that the 'old' employer and 'new' employer have towards each other. These are dealt with below:

### ***Obligations owed under TUPE by the Council to the new entity***

- 6.5 The Council must provide "Employee Liability Information" to the new entity. The TUPE regulations set out a 'shopping list' of prescribed information about employees who will transfer. This obligation is a fairly limited one – the information prescribed by TUPE will not necessarily cover all the information that you would ideally want to know about the employees who will transfer to you. Additionally, the statutory timescale for the provision of this information is rather unhelpful, because the Council is entitled to wait until just 28 days before the transfer takes place before providing it. This is, in part, why we strongly recommend the Service undertakes a more detailed and timely due diligence exercise, which is essentially a much more in-depth information-gathering exercise which should allow you to get a fuller picture of all the potential liabilities, risks, exposures, etc. that the new entity is likely to face if and when it becomes the employer of the transferring employees.

### ***Obligation under TUPE of the new entity to the Council***

- 6.6 The new entity will have an obligation to inform the Council whether the new entity proposes to take any 'measures', in connection with the transfer, that will affect any transferring employees once they become employed by the new entity. The term "measure" is interpreted quite broadly.

### ***Additional arrangements between the Council and the new entity***

- 6.7 You are probably aware that one of the main consequences of the TUPE Regulations is that, as well as transferring the employment of particular individuals to the new entity, the regulations will also operate to transfer any liabilities (except for criminal liabilities) relating to them or their employment. Anything done (or not done) by the Council in respect of an employee who transfers will be regarded as having been done (or not done) by the new entity, and the new entity will shoulder the liability for those actions (or omissions). That is why it is so important to understand what, if any, unwelcome baggage a transferring employee might bring with them, by undertaking a thorough due diligence process. The new entity is also likely to want to negotiate and draft into the transfer agreement some protection (such as warranties and indemnities) to try to ensure, so far as possible, that the Council has a contractual obligation to pick up the costs associated with any unwelcome and unexpected liabilities are picked up by the Council even if, as a matter of general law, the liability has transferred to the new entity.

### ***Pensions Issues***

- 6.8 Similar principles also apply to pension entitlements. We would strongly recommend that the new entity takes specialist pension advice (which we can assist you with obtaining) as it may potentially find itself liable for substantial pension liabilities, which could be extremely onerous. Some potential risks might include: having to make very generous payments if the new entity needed to make redundant long-service employees aged 55 or over; or if it needed to effect ill-health retirements; or in the event that a post-transfer actuarial assessment required the new entity to make significantly higher pension contributions in respect of participating employees than it had anticipated. There is also the potential for a significant pension funding shortfall to develop in future even if, at the time of the transfer, it appears that all pension funding is completely up to date. The potential risks and financial exposure for the new entity are likely to be dependent upon the number of employees, pension participation rates, and their age, health and salary profile, as well as on external factors, such as poor stock market performance, over which the new entity may have no control.
- 6.9 It is likely you would also wish to negotiate and have drafted into the transfer agreement, explicit provision and protection for a range of pension-related risks.
- 6.10 Although the TUPE Regulations themselves would not require you to continue to allow employees to participate in their existing scheme (whether that is the LGPS, the TPS or some other scheme) we would expect the Council to make it a contractual obligation that the new entity either allows existing employees to continue in the same scheme(s) or that it offers them alternative provision that is at least as good as their current scheme. Our experience is generally that most organisations choose to become a participating employer in the existing scheme(s) rather than set up alternative arrangements which can be prohibitively expensive. That is likely to require you to enter into a formal admissions agreement for the relevant scheme, in relation to which the new entity may need advice and assistance.

## **7. Legal costs for the transfer advice**

- 7.1 It is very difficult for us to provide a costs estimate until we have held the initial scoping meeting and started on the due diligence process. This is because until we know what

involvement the Council legal team has, how much negotiation will take place between lawyers and the particular legal issues of the Service (for example, the number of purchases), it is difficult to predict costs. We would therefore want to provide you with a more accurate cost estimate after the initial meeting and when we have received initial responses to the due diligence questionnaire.

- 7.2 However, a transfer out of Council services of this size (including setting up the legal and governance structure and registering the charity) typically costs between £20,000 to £25,000 (exclusive of VAT) or higher where BWB takes on more of a project management role (excluding pensions, which can range from £5,000 to £7,000 (exclusive of VAT)), there is a lot of negotiation with the Council and/or significant/difficult legal issues arise (such as in relation to employees, pensions or properties).

**Bates Wells Braithwaite**

8 September 2017

## Schedule 1 - Other legal forms

### Note on legal forms and not for profit concepts

There are a myriad of legal forms available, the most appropriate for the service being a charitable company limited by guarantee or charitable incorporated organisation or possibly a community interest company. A detailed analysis of these forms is set out above. Some of the other legal forms available and not-for-profit concepts you may have come across are set out briefly below.

#### 1. **Mutuals**

- 1.1 A traditional mutual is one that is owned by and run for the benefit of its members. An example of this in a legal form is the cooperative society model. However, this term is used more generally to apply to various practical forms of member/employee ownership and participation.
- 1.2 The new mutuals emerging in the public sector are generally not "mutuals" in the true sense of the word i.e. the business is not owned by and run for the benefit of members. However, they share similar characteristics to mutuals, as their businesses are directed towards delivering a collective benefit (in this case, improved public services), rather than maximising profits for shareholders.
- 1.3 The common denominator is some form of employee ownership/engagement, ranging from direct employee ownership of the entire business to some form of indirect ownership of a minority stake in the business. Commonly, there may a director on the board who is elected by the staff. However, public sector mutuals are about more than just employee ownership. There tends to be a requirement that, at the point the mutual is set up, the mutual is structured so that traditional private sector commercial motives (principally, seeking to make a profit) are either excluded or tempered by other motives, including those traditionally found in the public and third sectors. This can be achieved through the chosen legal form (charitable CLG, CIO, CIC, community benefit society).

#### 2. **Social enterprise**

- 2.1 "*Social Enterprise*" is a descriptive term for an organisation dedicated to social purposes, on a sustainable business model. The Department of Trade and Industry says:  
  
*"social enterprises are businesses with primarily social objectives whose surpluses are principally reinvested for those purposes in the business or in the community, rather than being driven by the need to maximise profit by shareholders and owners"*
- 2.2 This is a description not a legal definition. A charity can be a social enterprise if it has those described characteristics. A classic example might be a charity that in the course of a trade provides employment and skills training for beneficiaries and uses the profit from its trade to provide more employment and skills training for beneficiaries.
- 2.3 Not all charities can be social enterprises. A grant making trust, for example, does not trade and is not a business, therefore it is not a social enterprise.

- 2.4 Equally, not all social enterprises will be charities. Social enterprises do not have to satisfy the test for “what is a charity” and may not be established for exclusively charitable purposes for the public benefit.

### 3. **Limited liability partnership**

- 3.1 An LLP is statutorily defined as a legal vehicle used by two or more individual or corporate bodies to carry on a lawful business with a view to profit. The LLP legal form retains the organisational flexibility of a traditional “partnership” and is taxed as a partnership, but members have the benefit of limited liability.
- 3.2 The LLP is a one-tier structure, comprising a number of “members”, who are equivalent to the directors of a company. The rights and duties of members have to be given by agreement between them (and the LLP). These are usually set out in a master written agreement (the “LLP Agreement”). In the absence of an LLP agreement, there are default provisions under the Limited Liability Partnerships Act 2000.
- 3.3 Certain “designated members” have the same rights and duties as any other member but have extra responsibilities, such as signing the accounts on behalf of the members and delivering documents to the Registrar of Companies.

#### ***Advantages***

- 3.4 Tax transparency - an LLP is ‘tax transparent’, which means that the members of the LLP are taxed directly in their own capacity, rather than the LLP itself. This can be particularly attractive where there is a mix of charitable and non-charitable collaborators, since the distributed share of each member will be taxed, post-distribution, according to each member’s own tax status.
- 3.5 Limited liability - Despite being taxed like a traditional partnership, the LLP is a legal entity in its own right and the members benefit from the protections of limited liability. Members are liable in the winding up of an LLP up to the amount they have agreed (which can be nothing).
- 3.6 Structure - the structure of an LLP is simpler than that of a company, with only a single tier of ‘members’ (equivalent to a company’s directors).
- 3.7 Flexibility - There is much flexibility around how the LLP Agreement is drafted.
- 3.8 Privacy - The LLP Agreement does not have to be filed with Companies House.

#### ***Disadvantages***

- 3.9 No ‘social enterprise’ status - There is no possibility of grant funding for an LLP, and certain ‘social enterprise’ targeted contracts may not be options. Although social enterprises can adapt the LLP form to their needs, in particular, by having protections for the social mission or commitments to ensure a certain percentage of profits is ploughed back into the LLP set out in the LLP Agreement, there is no guarantee that a potential funder/commissioner would see past the LLP form to appreciate this.

- 3.10 Accountability - accounts must be prepared in accordance with the relevant accounting rules and filed at Companies House. They must disclose the highest paid member's profits and the annual return must be completed. In addition, as for limited companies, there is certain information which must appear on the LLP's correspondence, such as the full name of the LLP, the place of registration, registered number, etc.

#### 4. **Community benefit society models**

- 4.1 Co-operative societies and community benefit societies are bodies corporate (i.e. they have their own separate legal personality) with limited liability that are regulated by the Financial Conduct Authority ("FCA").
- 4.2 Like a company limited by guarantee, co-operative societies and community benefit societies both have a two tier structure of members and directors (often referred to as executive committee members).
- 4.3 Societies are registered with, and regulated by, the FCA, and are required to file accounts and a return with the FCA annually. Other matters which must be notified to the FCA are charges and changes of name or registered office. Changes to the rules do not take effect until registered with the FCA. There is an annual fee payable to the FCA ranging from £55 to £425 depending on value of assets.
- 4.4 Societies are not companies and are subject to the Cooperative and Community Benefit Societies Act 2014, rather than company law. Under that Act, a society may be registered if it exists "*for carrying on any industry, business or trade*" and if it satisfies the conditions for registration as either a co-operative society or a community benefit society.
- 4.5 Societies also have particular membership rules and limited restrictions arising from their regulation as such.
- 4.6 **Co-operative societies** - organisations run by and for the benefit of members, on the one member one vote principle and the International Co-operative Principles. A co-operative is the pure form of "*mutual*".
- 4.7 In order to be registered as a co-operative society under that Act, a society must show to the satisfaction of the FCA that it is a bona fide co-operative, its rules and activities reflecting the International Co-operative Alliances' Statement of Identity, Values and Principles ("the ICA Statement"). The ICA Statement contains statement of co-operative identity, which provides an internationally recognised definition of a co-operative and the values to which a co-operative should adhere. The definition states that a co-operative is an autonomous association of persons united voluntarily to meet their common economic, social, and cultural needs and aspirations through a jointly-owned and democratically-controlled enterprise with values of self-help, self-responsibility, democracy, equality, equity and solidarity.
- 4.8 The ICA Statement also contains a set of co-operative principles which constitute "guidelines" as to how co-operatives implement their identity and values in practice, which include a voluntary and open membership, democratic member control, member economic participation, autonomy and independence and concern for the community.



- 4.9 As co-operative society exists for the benefit of its members, allowing the members to receive dividends (often based on throughput) it is a profit distributing model and therefore might be unacceptable to the Service.
- 4.10 It should also be noted that as co-operative societies exist for the benefit of its members it cannot be charitable, except possibly in a case where a necessary condition of membership is to be within a class of charitable beneficiaries (for example, being a resident in financial need in an area of deprivation).
- 4.11 ***Community benefit societies***
- 4.12 A community benefit society is set up to benefit the broader community, rather than just its members.
- 4.13 A community benefit society can be charity and, at present, has the advantage that it would only need to be registered with the FCA rather than the Charity Commission. If the community benefit society has objects that are charitable in law, then it will be classed as an exempt charity and should be eligible for charitable tax breaks, if accepted as a charity by HMRC. In general, the FCA is less demanding as a regulator of charities than the Charity Commission. However, legislation has been passed, but is not yet in force, which would transfer responsibility for charitable community benefit societies from the FCA to the Charity Commission. The FCA has also recently become more onerous as a regulator of co-operatives and community benefit societies.
- 4.14 Typically, the rules of a community benefit society include a one member one vote principle, regardless of shareholding. Members can buy shares in the community limited benefit society up to £20,000. However, while community benefit societies can pay limited interest on member share capital, they cannot distribute profits to members and therefore it is unlikely to attract investors wanting a good return on their shares.
- 4.15 ***Advantages***
- (a) In general, the FCA is less demanding as a regulator of charities than the Charity Commission.
  - (b) Benefit from the advantages of incorporation whilst also having the reputational advantages of being a “co-operative” or a “community benefit society”.
  - (c) The inherently democratic nature of registered societies could be attractive as a cultural fit.
  - (d) Members can buy equity (shares) in the community benefit society, helping it raise funds, and limited interest can be paid out on shares, attracting members to buy equity.
- 4.16 ***Disadvantages***
- (a) Co-operatives and community benefit societies can be more costly to establish and administer than a company. In particular, there may be fewer professional advisers who will readily understand their legal and regulatory frameworks, which can make accessing professional support and funding more expensive. While there are

around 20,000 co-operatives and community benefit societies there are over 4 million companies.

- (b) The application process to register a charitable community benefit society with HMRC can be lengthier than for a CCLG.
- (c) In terms of transparency, it is more difficult for third parties to carry out due diligence on a cooperative or community benefit society as there is a cost attached to obtaining documents and it can take some time.

**Swindon Borough**  
**PLAYING PITCH STRATEGY**  
**2016-2021**

Produced by:

**Stuart Todd Associates**  
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## Executive Summary

This Swindon Borough Playing Pitch Strategy (PPS) replaces the last strategy produced in 2007 and covers the period between 2016 and 2021. The strategy, which is compliant with Sport England guidance, focuses on football, rugby union, cricket and hockey pitches (and on both grass and artificial surfaces) and also provides a brief assessment of the needs of other, less played sports of rugby league, American football and softball. Its development has been shaped and overseen by a steering group formed of the Borough Council, sports governing bodies, Swindon Sports Association and Sport England, and consultation with clubs and providers / owners of pitches has also been a core part of the process.

### *The Strategy's Vision*

*“To provide a robust and comprehensive assessment of needs and deficiencies in the provision of playing pitches (including AGPs) upon which emerging planning policy should be based, and create an up to date evidence base to support policy the implementation, informing the provision of playing pitches during the review plan period.”*

The PPS plays a number of important roles in sport, leisure and planning terms, and also has a direct link into the health and wellbeing agenda both in relation to formal club based sport but also social, casual and informal sport aimed at getting people more active (with positive outcomes for mental as well as physical health). At its basic level, the PPS provides an audit of the quality, quantity and accessibility of playing pitches, establishes the current levels of demand (and therefore whether pitches are being over or under used) and projects forward demand likely to arise by the end of the strategy period so that the appropriate level of pitch provision can be planned for the future. The strategy:

- Can be used as robust evidence to protect existing playing pitches and playing fields;
- Can help to improve the quality of offer and provision by identifying and quantifying issues relating to the quality of pitches and ancillary facilities;
- Can be used by clubs and teams and pitch providers to support applications for funding for the improvement of the quality, quantity and accessibility of provision;
- Helps to defend against inappropriate development or loss of pitches;
- Informs planning policy development;
- Provides a strategic view and options for the provision of pitches during the strategy period;
- Forms an important part of the “package” of strategies, evidence and actions which can contribute towards improving the physical and mental health and wellbeing of those who live and work in the Borough; and,
- Provides guidance on enhancements to existing and provision of new pitches and ancillary facilities in relation to quality, accessibility and quantity.

What the strategy cannot do is provide a precise blueprint for change to 2021. Instead, it sets out a “direction of travel” with a number of detailed actions, recommendations and options for pitches which will need to be planned for, delivered, monitored and their impact on demand managed during the strategy period. The strategy cannot do the work necessary (for example, logistical, feasibility and viability work) required to confirm actions with 100% certainty and make things happen “on the ground”, which is the task of the many stakeholders (such as clubs, providers, owners and managers of pitches) and bodies (such as Swindon Borough Council, sports governing bodies and Sport England) which may be responsible for delivery of pitches and facilities following the strategy’s adoption.



While there are numerous recommendations for each sport and pitch type, the strategy's main headlines are set out below to provide a "snapshot" of the strategy's findings for pitch provision in the Borough.

### Football:

- There are a number of grass pitches where improvements in drainage and quality could improve resilience and reliability during wet periods of the season.
- Supply currently meets demand although there is increasing reliance on unsecure community use pitches. The strategy should seek to ensure that best use is made of secure sites and teams do not have to rely on long-term use of unsecure sites.
- There is a lack of full size 3G pitches with secure community use which could support match play, with all secure community use 3G pitches being small or half size.
- There is an equivalent to around 17 full size grass pitches of potential capacity on secure community use sites which is currently unused. Almost all of this unused capacity is on pitches which are used for matches already with only 1 or 2 pitches not currently used for matches at all. Therefore, while this capacity is unused, most of it is not surplus and should not be lost or removed from supply, but is "capacity headroom" which is likely to be required to accommodate future demand to 2021 and beyond.
- Demand is projected to increase by 2021. Assuming that unused capacity on existing secure sites can be used, moving teams away from unsecure to secure community use sites and taking into account future demand from an increase in the number of teams, an additional 12.5 full size grass pitches would be needed to accommodate additional match play (if 3G pitches do not feature as part of the solution for future provision).
- 4-5 additional full size floodlit 3G pitches with secure community use are needed by 2021 if all clubs are to have an opportunity to train on a 3G surface. This will provide additional supply / capacity for matches at weekends which will, in turn, reduce the capacity required for additional grass pitches if 3G provision is delivered.

### Hockey:

- Supply currently meets demand from Swindon's two clubs, albeit on unsecure community use AGPs. This presents a risk to certainty of future use which should be addressed by provision of secure community use floodlit pitches.
- One pitch currently used by one hockey club is of poor quality.
- Demand is projected to increase by 2021, equating to a need for at least 2 full size secure community use pitches with floodlighting to accommodate match day play on Saturdays and Sundays. Training needs can easily fit within this level of provision. One additional pitch may be needed subject to demand being demonstrated "on the ground".

### Cricket:

- Taking current demand into account and comparing to supply, there are 72 match equivalents of unused capacity on secure use grass pitches<sup>1</sup> (equating to 8 pitches of good quality) and -17 on secure use artificial pitches (meaning that artificial pitch capacity is currently overused).
- Demand is projected to increase by 2021. Growth in cricket is likely to manifest in informal versions of the game and junior and women's cricket. Future provision will need to recognise and cater for this growth appropriately.
- Figures estimate that, taking into account existing unused capacity which could practically be used by teams, a desire to move use away from unsecure to secure sites and the demand for additional new capacity, an equivalent need will exist for additional capacity providing an equivalent of 34 good quality grass pitches (i.e. wickets / strips) and 8 good quality artificial pitches, which could be provided through a combination of: improving the quality of standard and poor quality pitches; securing community use on current unsecure sites; new additional pitches at existing grounds where capacity would be practically usable; and / or, new additional grounds in sub-areas / locations where the demand is likely to occur.

<sup>1</sup> For the purposes of this strategy a cricket "pitch" is a "wicket" or the strip of playing surface on which the batting takes place and comprises two sets of stumps and bails (one at each end). A "square" is the area within which one or more pitches are laid and set out. The "ground" comprises the pitches (and therefore the square), "infield" and "outfield" where bowling and fielding takes place and ancillary facilities such as the pavilion.

**Rugby Union:**

- There are currently significant levels of overplay on secure community use pitches used by the two clubs with their own home ground. Some of this over-play can be overcome by improvements to existing pitches, but not all.
- One club is without a permanent home ground on a secure community use site.
- Demand is projected to increase by 2021. Taking into account overplay at existing sites, a desire to move use away from unsecure to secure sites and the demand for additional new capacity, this translates into an equivalent need for additional capacity of 14 good quality full size grass pitches, which could be provided through a combination of: improving the quality and / or maintenance regimes of existing pitches; providing floodlighting to increase evening training capacity; securing community use on current unsecure sites; new additional pitches at existing club grounds where feasible; a rugby focused 3G pitch; and / or, a longer-term (beyond the strategy period) rugby hub / cluster site.

**Other Sports:**

- Both American Football and Rugby League share use of rugby union pitches and do not have a permanent sole use ground. Remedying this position would help to relieve some of the over-play at one of the rugby clubs.
- Softball's needs are catered for at their current site, but a permanent home for sole use for softball in the summer months would prevent any potential conflict with use of a ground for cricket if softball numbers grow.

**General:**

- The current supply of playing pitches should be protected from loss.
- The provision of any new grass or artificial pitch will need to demonstrate long-term cost viability prior to delivery and should be made available for secure community use where possible.
- A "plan, deliver, monitor, manage" approach should be taken to the provision of new pitches and the management and any necessary "re-packaging" of existing supply. Provision of additional pitches / capacity should be made in response to demonstrable demand "on the ground".
- As the strategy development has progressed, some pitches have been subject to possible transfer from Swindon Borough Council to newly formed Parish Councils. The Assessment Report and this strategy have sought to recognise the most up-to-date position on the possible transfer but further work or plans for delivery will need to reflect the implications on pitch supply and demand of any such transfers should they take place during 2017.
- Provision standards are no longer supported by Sport England. Where a baseline of provision in relation to the number of pitches is required for new development proposals, the Sport England Playing Pitch Calculator should be used as a starting point. It is important to note that provision figures generated by the calculator provide a guide only and **should not be relied upon in isolation** outside of the strategy recommendations for each sport and specific sites, pitches or sub-areas within the Borough.

# 1. Introduction

## (What is a Playing Pitch Strategy and why has it been developed?)

- 1.1 In spring 2016, we (Stuart Todd Associates Ltd.) were commissioned by Swindon Borough Council (SBC) to help the Borough Council develop a new playing pitch strategy, compliant with Sport England's Playing Pitch Strategy (PPS) guidance. The strategy is to replace the last PPS published by SBC in 2007. The timing is particularly significant given that Sport England published new guidance on how to undertake a PPS in October 2013<sup>2</sup>, replacing the methodology in the former 2003 guidance ("Towards a Level Playing Field"). Development of the strategy necessitates a lengthy process to gather and analyse data across different sports' seasons, consult with key stakeholders and ensure agreement of the strategy's content by sports governing bodies and Sport England. The strategy covers the period between 2016 and 2021 to deal with short-term planning for pitches and to help inform the future planning strategy (Local Plan review) in the longer term to 2036.
- 1.2 A PPS plays a number of important roles in sport, leisure and planning terms, and also has a direct link into the health and wellbeing agenda both in relation to formal club based sport but also social, casual and informal sport aimed at getting people more active (with positive outcomes for mental as well as physical health). At its basic level, the PPS provides an audit of the quality, quantity and accessibility of playing pitches, establishes the current levels of demand (and therefore whether pitches are being over or under used) and projects forward demand likely to arise by the end of the strategy period so that the appropriate level of pitch provision can be planned for the future.
- 1.3 The PPS:
- Can be used as robust evidence to protect existing playing pitches and playing fields;
  - Can help to improve the quality of offer and provision by identifying and quantifying issues relating to the quality of pitches and ancillary facilities;
  - Can be used by clubs and teams and pitch providers to support applications for funding for the improvement of the quality, quantity and accessibility of provision;
  - Helps to defend against inappropriate development or loss of pitches;
  - Informs planning policy development;
  - Provides a strategic view and options for the provision of pitches during the strategy period;
  - Forms an important part of the "package" of strategies, evidence and actions which can contribute towards improving the physical and mental health and wellbeing of those who live and work in the Borough; and,
  - Provides guidance on enhancements to existing and provision of new pitches and ancillary facilities in relation to quality, accessibility and quantity.
- It is for these reasons, and to ensure that the Borough has an up-to-date PPS guidance compliant strategy, that it was commissioned.
- 1.4 What the strategy does not and cannot do is provide a blueprint for change to 2021. The strategy can present options based on evidence and assessment of it (and indeed recommendations) but cannot do the work necessary (for example, logistical, feasibility and viability work) required to confirm actions with 100% certainty and make things happen "on the ground", which is the task of the many stakeholders (such as clubs, providers, owners and managers of pitches) and bodies (such as SBC, sports governing bodies and Sport England) responsible for delivery of pitches and facilities following the strategy's adoption.

<sup>2</sup> See <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/playing-pitch-strategy-guidance/>

## 2. The Study Area

### (What is the extent of the study area?)

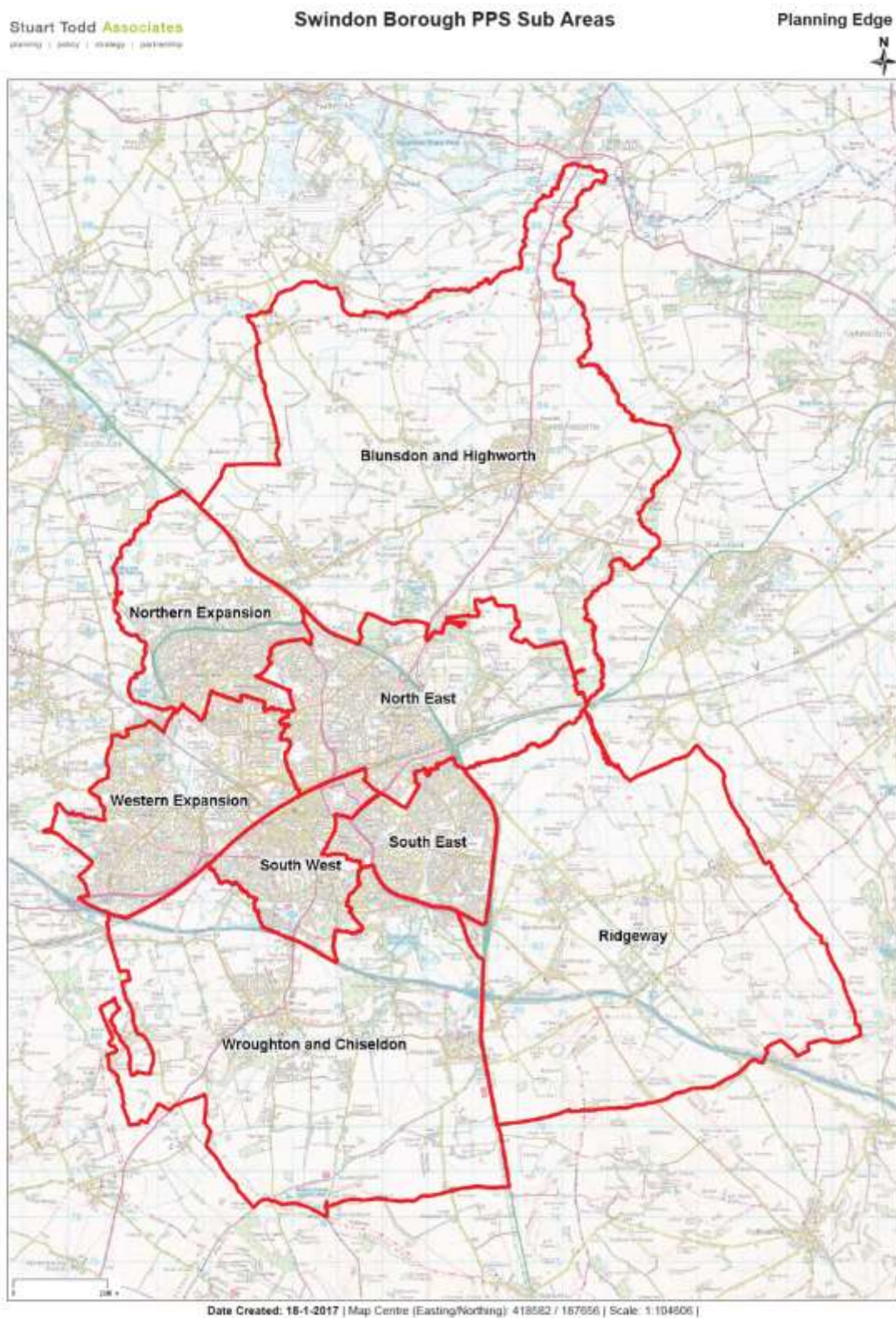
- 2.1 The study area for the Swindon Borough PPS is the whole of the Borough, as shown on the map below.

**Figure 1: Study Area**



- 2.2 Much of the data on pitches is listed and broken down into sub-areas within the Borough. This has been done to help provide more localised assessment than that which can be provided at a Borough-wide scale. The sub areas comprise aggregations of parishes and areas of proposed new parishes as shown on the following map. These sub areas were agreed by SBC and the Steering Group overseeing the work.



**Figure 2: Sub-Areas**

Notes: in this strategy, the Northern Expansion and Western Expansion sub-areas are often abbreviated to “Northern” and “Western” respectively.

### 3. Typology

#### (What sports and types of pitches does the strategy cover?)

- 3.1 The strategy does not consider all sports which use pitches. The typology for the playing pitch assessment is as follows:
- Outdoor grass pitches used for football, rugby union and cricket;
  - Outdoor full size artificial grass pitches (AGPs) used predominantly for hockey and / or football (which can be partitioned to make a number of smaller pitches for smaller sided games or training); and,
  - Outdoor smaller, dedicated or “formal” AGPs (where booking is required, i.e. not open multi-use games areas) used predominantly for small sided football (games e.g. 5, 6 or 7-a-side).
- 3.2 We were also asked to undertake a brief assessment for softball, American football and rugby league to understand better the current and future pitch needs of these other, less played, sports (compared to the main pitch sports) but which have good potential to grow in the strategy period. The strategy does not consider use of indoor sports halls, “kick-about” areas or, as indicated above multi-use games areas (MUGAs), although it is recognised that these play important roles in the provision of space for informal / casual play and many different sports. The demand and need for MUGAs and sports halls and other indoor facilities is typically covered by a study of built sports facilities for which there is separate Sport England guidance<sup>3</sup> to that provided for pitches.
- 3.3 While all pitches meeting the above criteria are identified for the purposes of establishing the quantity of pitches available, only those pitches with some “community use” during the “peak period”<sup>4</sup> are taken forward in the assessment of provision. This is because the PPS is concerned with understanding and planning for public or wider use (for example by one or more clubs or teams) and accessibility, than that provided for a single user. Pitches without community use will tend to be used only by one group of users and will typically include mainly school sites. These are important to school pupils and students and will often not be available for wider community use to protect the quality of provision, for reasons of security and child safeguarding, or for logistical reasons such as not being able to open a school site up at a weekend or evening. However, an understanding of pitches not currently available for community use or access are noted to be able to understand the role they could potentially play in supporting provision in the future.
- 3.4 “Community use” does extend to those sites which are provided on a commercial basis and those which require a membership fee for use (where those fees are not exorbitant and where membership is not unduly restrictive).
- 3.5 Analysis of the supply of and demand for community use pitches is also split into developing an understanding of those pitches which have some security of community use (for example a long term lease, covenant and / or community use agreement) and those which have unsecure community use (for example, where such agreements are absent and reliance is on a verbal or other form of informal arrangement). This distinction is important, as those pitches which are used by the community or clubs on unsecure sites are at risk of being taken away from supply (for example if the provider decides that they no longer wish to host clubs or other community use), sometimes at short notice, placing additional pressure on those sites with secure community use. During the assessment, consideration has been given to the degree of risk that reliance on use of unsecure sites is placing on supply overall. It should also be noted that the label of “secure” use does not guarantee that this will be the case for the duration of the strategy and it is acknowledged that some secure use sites will be at more risk of losing that security than others.

<sup>3</sup> See Sport England’s Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports facilities - <https://www.sportengland.org/media/3599/20140722-anog-published.pdf>

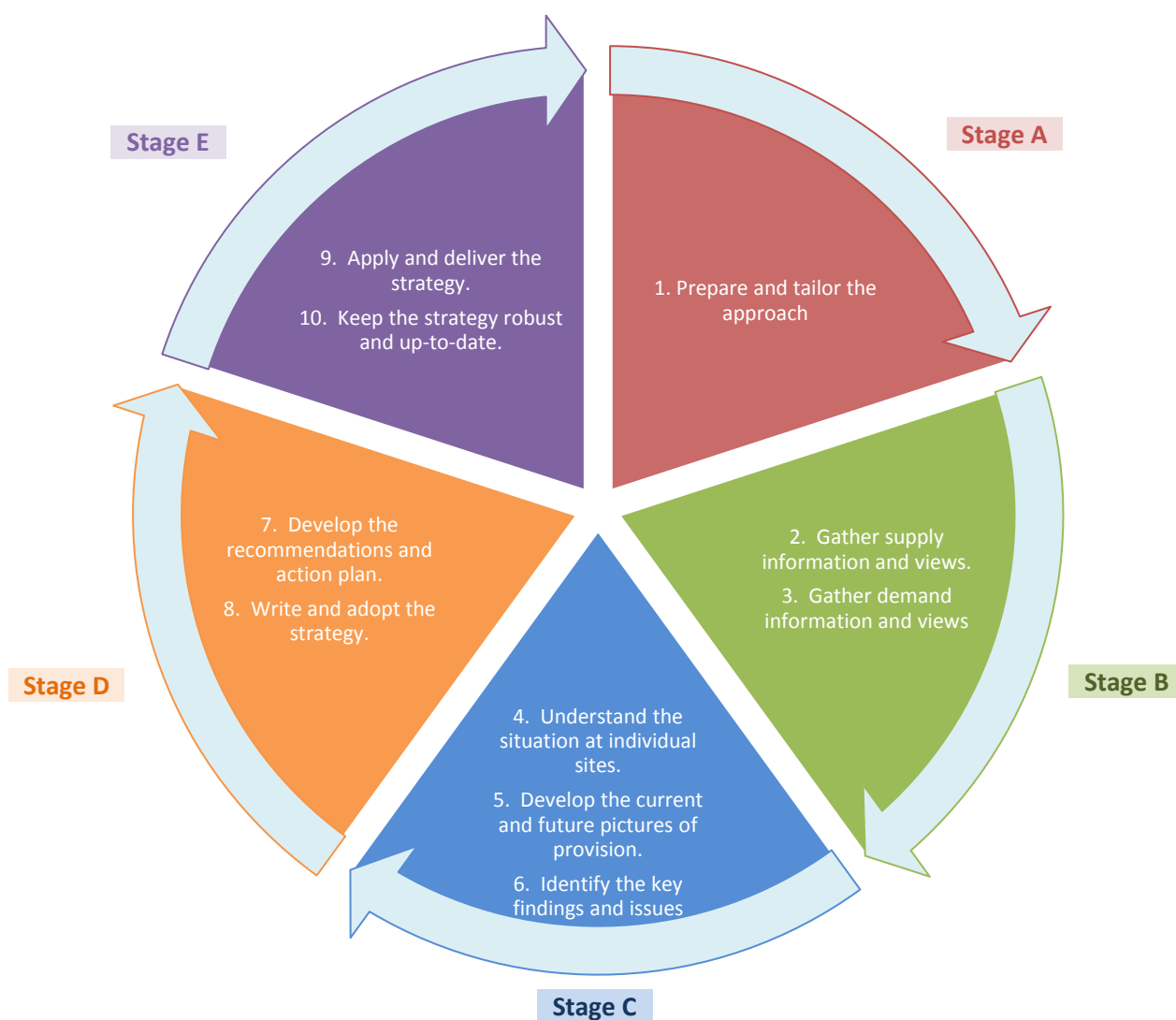
<sup>4</sup> The peak period is Monday – Thursday 5pm – 9pm, Friday 5pm – 7pm and Saturday and Sundays 9am – 5pm.

## 4. Methodology

### (How has the strategy been developed?)

- 4.1 It has been important that the development of the PPS has followed the guidance published by Sport England and which has been agreed by the national governing bodies (NGBs) for the sports considered by the strategy. Use of the guidance, and data verification and checks on the quality of the various outputs during the strategy's development by these bodies ensures that the final strategy is robust, fits with their priorities and their own strategies and benefits from those bodies' support as its options are explored and actions delivered. Sport England's PPS guidance sets out a ten-step process to be followed to ensure that the PPS is robust. In order to capture all of the information and data required by the PPS methodology and its analysis, an Assessment Report has been produced. The report sits alongside this strategy as the evidence for its overall "direction of travel" and specific actions for sports and pitches. It documents, in considerable step-by-step detail (and therefore at considerable length), the data and information which has been gathered and analysis of that done during steps 2 to 7 in the 10-step approach below. The consultant provided expert guidance to Borough Council officers, where requested, as they undertook steps 2 to 3 and in their contribution to steps 4 to 6. The consultants' primary role was to focus on the development of steps 4 to 8 in the process.

**Figure 3: the Ten-Step Approach**

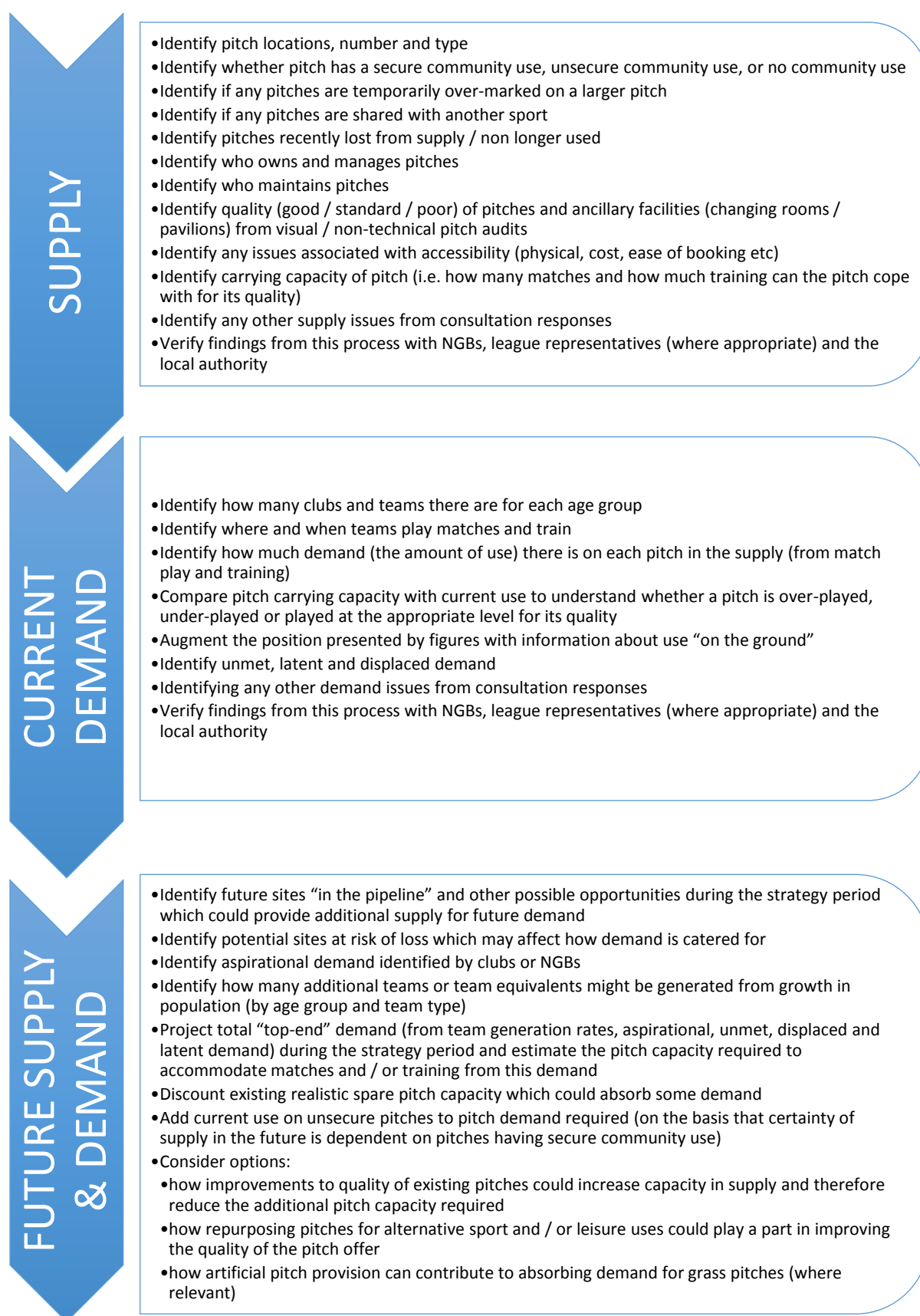


- 4.2 The logical steps that the report takes to address steps 2 to 7 are set out below. For further detail on these tasks, please see the Assessment Report itself. However, put simply, for each of the major sports (football, cricket, hockey and rugby union) and pitch types (grass and artificial) in the typology the report assesses current supply, demand, accessibility, availability, quality<sup>5</sup>, quantity and issues with provision, to set out the position now; and then projects likely future need and demand forward to understand requirements for each sport and pitch type in the future and the changes necessary to ensure provision is adequate to meet these future needs. As noted above, the focus of the assessment is about understanding the position relating to those pitches with community use, both those with secure community use and those without, although the number and type of pitches with no community use are recorded to understand the totality of pitch provision.

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<sup>5</sup> Quality ratings for pitches are based on undertaking a site visit to record visual observations relating to indicators of quality. The set of questions answered and observations made are based on forms which have been agreed by NGBs and Sport England and which accompany the PPS guidance produced by Sport England. These are reproduced in Appendix 5 of the assessment report. When an initial score has been ascertained following site visits, these are moderated and “grounded” by other data received (such as club surveys received) and through discussion with NGBs and the local authority (to ensure that a representative quality rating is given which applies across a season). “Sign-off” of the final quality ratings is required by the process and the consultant prior to the data being used to identify the appropriate capacity (in terms of match equivalents) for each pitch. For rugby pitches, a maintenance and drainage score is also the result of this process.



**Figure 4: Key tasks documented in Assessment Report**

- 4.3 The supply and demand information and data used in the assessment was collected over several months during 2016 to ensure that data could be captured for all sports and pitch types in the typology during the season when the sports are played.
- 4.4 The evidence base for the report is formed by a “folder” of information, much of it set out in a detailed electronic file and which is therefore not reproduced in full on paper. The detailed information and data behind the assessment has been provided in full to the Borough Council.

## 5. Consultation and Management

### (Who has been involved in the strategy’s development?)

#### Steering Group

- 5.1 PPS guidance requires the development of the strategy to be steered and managed by a “steering group”. This typically includes (at least) the commissioning local authority, Sport England and sports governing bodies (NGBs). The involvement of a steering group is particularly important given the importance of its members in the “grounding” and delivery of the strategy. The steering group plays a significant role by:
- considering (through “check and challenge”) information and data during the process;
  - verifying and helping to localise data;
  - providing a connection with local providers, clubs and teams;
  - helping to put locally gathered information into a strategic context;
  - commenting on and shaping the outputs of the study at each stage in the process and giving approval required by the PPS guidance prior to the process moving to the next stage.
- 5.2 NGBs have played a key role, in particular, and their role and commitment to the process is set out in the PPS guidance. The steering group has been chaired by officers from the Borough Council.

**Figure 5: Steering Group Members**

Organisation	Named Representative(s) on Steering Group
Swindon Borough Council	Amy Colbran
	Angela Clack
	Martin Hambidge
	David James
	Gladys Barr
Sport England	Vicky Aston
Rugby Football Union	Jon Bendle
	Alan Low
Football Association	Dylan Evans
Wiltshire County Football Association	Mark Young
England Hockey	Verity Langfield
Wiltshire Cricket Board	Pete Sykes
England Cricket Board	Neil Higginson
Swindon Sports Forum	Gerry Hannon and David Bell
Rugby Football League	Carol Doran (until March 2017), John McMullen and Marc Lovering (after March 2017)
Wiltshire and Swindon Activity and Sports Partnership (WASP)	Steve Boocock
Stuart Todd Associates Ltd.	Stuart Todd

- 5.3 Communication with the steering group has not simply been through meetings at key stages of the process. The Borough Council's nominated project lead has kept an ongoing dialogue with members of the steering group throughout the process, including face-to-face, online and telephone conversations and meetings. The consultant responsible for producing this strategy has also maintained ongoing dialogue with the Borough Council's project team, sports governing bodies and Sport England representatives.

### Consultation

- 5.4 Consultation is an integral and crucial part of the PPS' development, as set out above, and has been undertaken in line with the advice given in the PPS guidance. Without extensive consultation, there will be a lack of qualitative information and data collected from the audit of pitches cannot be "grounded in reality". In addition to the role of the steering group members outlined above, consultation has been undertaken, prior to the strategy being produced, in the following ways:
- online and paper surveys early in the process sent to clubs, pitch owners, pitch managers and pitch providers (by the Borough Council and sports governing bodies) to ascertain baseline information about quality, accessibility, demand for pitches and ancillary facilities and other important issues of concern;
  - face-to-face on-site meetings with some of those managing and maintaining sites during the pitch audit process (undertaken by the Borough Council);
  - face-to-face meetings with some clubs (undertaken by the Borough Council);
  - wider stakeholder email contact with, for example (i.e. not limited to), neighbouring local authorities (undertaken by the Borough Council).
- 5.5 This Strategy has also been subject to public consultation over the summer and autumn of 2017 and views have helped to inform and confirm the strategy's direction of travel, identify any issues missed and supplemented information since the data was gathered. It should be noted, however, that the strategy is based on data and information collected over a 16 month period. Any changes in data identified have only been updated after consultation if it has meant a fundamental change has been needed to the conclusions overall for that sport or pitch type. Otherwise, changes have been noted in the assessment report and strategy. The use of pitches and issues of concern can change from season to season and so some flexibility in the interpretation of results at the pitch specific level will be required, something which will need to be acknowledged as the strategy is delivered and as solutions are identified. This is one of the reasons why, as noted above, the strategy cannot provide a blueprint for change but instead focuses on key actions and options for change to improve the quality of provision and respond appropriately to changes in demand to 2021. In this context, the actions which arise from the process are considered to be "live".

## **6. Responsibilities**

### **(Who has ownership of the strategy and who will deliver its actions?)**

- 6.1 While the development of the strategy has been commissioned by Swindon Borough Council (and therefore ownership of the strategy rests with the local authority<sup>6</sup>), this does not suggest that any additional pitches or facilities proposed to fill identified shortfalls or future provision must be funded and / or delivered and / or maintained by the local authority. The nature of sports facility and pitch provision has been changing over the last decade or so nationally with the role of local authorities now moving away from that of a provider, maintainer and operator of facilities to that of a facilitator and enabler. However, the strategy has an important role in informing the review of the Borough

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<sup>6</sup> Particularly in relation to its statutory role as local planning authority and in its role in provision for sport, parks and leisure

Council's Local Plan, Infrastructure Delivery Plan, Community Infrastructure Levy (CIL) and approach to CIL and s106 planning obligations. It will also play an important role informing the decision making process as the Borough Council considers planning applications (as the local planning authority) which relate to the protection, enhancement and provision of pitches and facilities.

- 6.2 New pitches and facilities are most likely to be provided in partnership by local authorities, sports organisations, national sports governing bodies, the education sector / establishments, clubs, businesses and operators, or more commonly by a combination of one or more of these. The local authority is likely to play a key enabling and co-ordination role in planning for and the delivery of new pitches and facilities across the Borough. The same applies to the improvement of existing pitches and facilities, where management and / or ownership of existing facilities is no longer (or never has been) the responsibility of the Council. In Swindon Borough, a process is underway of possibly transferring some local authority pitch assets to newly formed parish councils in areas which were previously unparished. This is particularly important to note within the context of providing secure pitch provision in the future across the Borough as the ownership and management of many of the Borough's pitches could become decentralised away from Borough Council control.
- 6.3 The current landscape of pitch provision therefore requires the steering group members each to (continue to) play an important role in helping to deliver the strategy's recommendations and action framework.

## 7. Other Strategies and Plans

### (What key strategies and plans are relevant to the PPS strategy?)

- 7.1 There are a number of important strategies and plans which are relevant to the PPS strategy, both on the sport and planning side which are briefly summarised below. It is important to note the context that they provide, both for the strategy to be produced and also for the recommendations and actions it presents. There are other strategies and plans with which this strategy has a connection. However, these cannot all be summarised here.
- 7.2 We acknowledge and recommend, however, that important links should continue to be made by appropriate bodies between this strategy for pitches and sport and those produced for issues such as health & wellbeing (including leisure and active lives), green infrastructure, transport, economic development and wider planning programmes (in addition to those strategies summarised below).

## National Planning Policy Framework and National Planning Practice Guidance

7.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies which provide, alongside various legislation, the 'rules' of the planning system. It sets out a 'golden thread' for the planning system which should respond positively to help achieve the delivery of sustainable development. Paragraph 14 states that there is "a presumption in favour of sustainable development" and implies that there is a need for local

authorities to react positively to other policies in the NPPF. In relation to playing pitches, there is particular importance to respond positively to section 8 of the NPPF "Promoting Healthy Communities" which includes policy relating to playing pitches and their wider context as social, cultural and recreational assets. It states that the "...planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities..." and raises the importance of promoting high quality public space (paragraph 69), of which playing pitches are often a part. It also sets out a need for planning policies and decisions to plan positively for community needs (paragraph 70 – see box) which include sports facilities and venues which, it can be assumed, relate to

playing pitches and any ancillary facilities located alongside them.

73. Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.

74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Paragraphs 73 and 74 (see box) go further in relation to sport specifically and provide the basis of and justification for an up-to-date assessment of playing pitch provision and an associated strategy. They include important reference to the role of facilities and pitches to health and wellbeing and provide the policy 'hook' on which planning policies, backed up by an up-to-date assessment of need, can be developed.

7.4 The Government's Planning Practice Guidance (NPPG) helps the policies in the NPPF to be interpreted and appropriately applied through a series of questions and answers for various topics. The guidance refers to Sport England guidance in relation to assessing needs for sport and offers advice on how open space should be taken into account in planning (Paragraph: 001, Reference ID: 37-001-20140306, Revision date 06-03-14 – see box).

Paragraph: 001 Reference ID: 37-001-20140306

### How should open space be taken into account in planning?

Open space should be taken into account in planning for new development and considering proposals that may affect existing open space (see [National Planning Policy Framework paragraphs 73-74](#)). Open space, which includes all open space of public value, can take many forms, from formal sports pitches to open areas within a development, linear corridors and country parks. It can provide health and recreation benefits to people living and working nearby; have an ecological value and contribute to green infrastructure (see [National Planning Policy Framework paragraph 114](#)), as well as being an important part of the landscape and setting of built development, and an important component in the achievement of sustainable development (see [National Planning Policy Framework paragraphs 6-10](#)).

It is for local planning authorities to assess the need for open space and opportunities for new provision in their areas. In carrying out this work, they should have regard to the [duty to cooperate](#) where open space serves a wider area. Guidance on Local Green Space designation, which may form part of the overall open space network within an area, can be found [here](#).

Revision date: 06-03-2014



- 7.5 Again, this ties in the importance of the consideration of pitches in a wider context including health, recreation and landscape.

### Swindon Borough Council Planning Policies

- 7.6 The most relevant planning policies relating to the protection and provision of playing fields and pitches are contained within the Swindon Borough adopted Local Plan 2026. Local Plan policies CM2 “Active, Healthy and Safe Lifestyles”, CM3 “Integrating Facilities and Delivering Services”, and EN3 “Open Space” are reproduced below and are the most relevant to playing pitches.

#### **Policy CM2: Active, Healthy and Safe Lifestyles**

- a. Active, healthy and safe lifestyles will be enabled by:
- increasing opportunities to walk and cycle and encouraging more sustainable travel choices;
  - increasing access to green spaces to promote health and mental wellbeing;
  - designing out crime and designing in health;
  - the provision of open space, sports and leisure facilities;
  - the protection and improvement in the stock of playing pitches;
  - the provision of cultural, health, fire, police, faith and multi-use community facilities; and
  - increase opportunities to experience and engage with nature.
- b. To meet demand, promote sporting participation and achievement, the following will be enabled:
- measures to increase the capacity and quality of existing sports centres;
  - the provision of new sports centres;
  - the development of a network of sporting centres; and

- the co-location of sports centres with schools.

- c. To improve the cultural offer in Swindon Borough the following will be enabled:

- the development of a cultural quarter in Swindon Central Area as a focus for cultural activities;
- the promotion of Swindon Central Area as a key centre for the arts and creative industries; and
- the enhancement of tourism and cultural venues to help sustain their viability, particularly:
  - The Wyvern Theatre;
  - The Steam Museum;
  - The Science Museum at Wroughton;
  - The Swindon & Cricklade Railway; and
  - The Wilts & Berks Canal.

- d. Proposals for the redevelopment of Swindon Town Football Club at the County Ground will be supported where they deliver enhanced facilities and do not conflict with Town Centre regeneration.

#### **Policy CM3: Integrating Facilities and Delivering Services**

- a. Increased local and integrated service delivery will be supported in conjunction with local communities, particularly:
- flexible multi-use buildings in public and community ownership;
  - co-location of sports centres and playing pitches with schools;
  - agreements to use schools and other public buildings for community use;
  - co-location of doctor, dentist and pharmacy facilities; and
  - to share and integrate police, fire and ambulance facilities.
- b. To meet the long-term health, social care and emergency service needs in the Borough and the wider population the following will be enabled:
- expansion of the Great Western Hospital as required;
  - enhanced and new social care and local healthcare facilities; and
  - a reorganisation of existing fire infrastructure and provision of new fire stations.

#### **Policy EN3: Open Space**

- a. Residential development shall provide or contribute towards public open space in line with open space standards as set out at Appendix 3, including:

- children and teenager's play areas;
- outdoor sports facilities;
- general recreational areas; and
- allotments.

Residential development of 25 dwellings or more should provide open space on site.

- b. Public open space assets defined on the Policies Map will be protected from development unless:

- it can be demonstrated that alternative provision can be made locally of equivalent or better size, quality and accessibility; or
- the proposed development is ancillary to the main use of the site and protects its public open space function; or
- the proposed development is subject to an open space appraisal to ensure it does not adversely affect local needs and/or existing quality of open space within the area in accordance with the Council's Standards, as set out in Appendix 3 and in the most recent Open Space Audit and Assessment; or
- when assessed against the open space appraisal, the proposed development provides community benefit which outweighs the loss of open space.

- 7.7 Open space standards set out the requirements for the provision of playing pitches in the Borough (extracts from Appendix 3 of the Local Plan are reproduced below). Playing pitches are further defined in the appendix as areas “...formally laid out and maintained for organised sports (generally football, rugby, cricket or hockey). This includes clearance zones around the playing area.”
- 7.8 This strategy and its recommendations can inform the review of these planning policies at the appropriate time and their interpretation and use while they remain adopted. The strategy can also inform the review of the Community Infrastructure Levy (CIL) adopted and administered by the Borough Council alongside the use of section 106 planning obligations.

Appendix 3: Open Space Standards		
<p>The standards for open space support Policy EN3 of the Swindon Borough Local Plan. They are also detailed in the Open Space Audit and Assessment (Update 2014) which assesses the quantity, quality and accessibility of all public open space in the Borough.</p> <p><b>Quantity</b> For the purposes of assessing the overall quantity of open space provision the standard of 3.2 hectares per 1000 population will be used as set out below:</p>		
Category of Open Space	Definition	Requirement
Children and Teenager's Play Areas	All equipped children's play areas, skateboard parks, outdoor basketball goals and similar facilities.	0.3 Hectares (0.75 Acres/1000 population)
Outdoor Sports Facilities	Includes all outdoor sports facilities whether naturally or artificially surfaced e.g. playing pitches, bowling greens and tennis courts.	1.6 Hectares (4 Acres/1000 population) of which 1.2 Hectares (3 acres/1000 population) is playing pitches
General Recreational Areas	All areas of public open space which have a significant recreational function but do not fall in the above categories e.g. parks and gardens, amenity areas, accessible wildlife areas.	1 Hectare (2.47 Acres/1000 population) of which 0.5 Ha should be suitable for children's informal play
Allotments	An area containing allotment plots which the occupier for the purpose of producing fruit or vegetables for consumption by individuals and family wholly or mainly cultivates. Allotments are defined more precisely by the Allotments Act 1922.	0.3 Hectares (0.75 acres/1000 population)

Quality	
Type of Open Space Provision	Quality Standards
Children's and Teenager's Play Areas	NPFA Six Acre Standard - Locally Equipped Area for Play and Neighbourhood Equipped Area for Play Swindon Local Landscaped Area for Play (LLAP) - Fields in Trust (FIT) 2008
Outdoor Sports Facilities	Local standards based on Sport England guidance
General Recreational Areas	Local standard
Allotments	Local standard

Accessibility	
Type of Open Space	Accessibility
Local Equipped Area for Play (LEAP)	250 metres (approx. 5 Minutes walking time)
Swindon Local Landscaped Area for Play (LLAP)	250 metres (approx. 5 Minutes walking time)
Neighbourhood Equipped Area for Play (NEAP)	500 metres (approx. 15 Minutes walking time)
Outdoor Sports Facilities	600 metres for junior pitches (15 Minutes walking time) 20 Minute drive time for adult sports facilities.
Local Open Spaces	500 metres
Major Open Spaces 2 to 20 Hectare sites Greater than 20 Hectare sites	2 km 5 km
Allotments	600 metres

- 7.9 Spatially, the following policies include requirements for the provision of open space (which could include playing pitches) and / or playing pitches as part of new development:

- Policy NC1: Wichelstowe
- Policy NC3: New Eastern Villages - including Rowborough and South Marston Village Expansion
- Policy NC4: Tadpole Farm
- Policy NC5: Kingsdown (East of the A419)

### Neighbourhood Plans

- 7.10 Neighbourhood plans are statutory development plans which can be prepared by parish and town councils and neighbourhood plan forums in unparished areas. They provide a layer of local detailed planning policy within the context of national and Borough planning policies.
- 7.11 In Swindon, the following parishes are developing or have produced (i.e. the plan is “made”) a neighbourhood plan. (The stage at which the plans have reached in February 2017 are stated in brackets.<sup>7</sup>)
1. Wroughton Neighbourhood Plan (made 2016)
  2. South Marston Village (Examination held)
  3. Highworth (Examination held)
  4. Wanborough (pre-submission)
  5. Hannington (pre-submission)
  6. Blunsdon St Andrew – east (underway)
  7. Stratton St Margaret (underway)

### Sport England: “Towards an Active Nation” 2016-2021

- 7.12 In 2016, Sport England published their latest strategy, “Towards an Active Nation”<sup>8</sup>, which reflects a change from the principal focus of support in previous strategies being on support for competitive sport to the focus now being on people getting more active and growing participation, whether through competitive sport or informal / casual sport.

- 7.13 As the extract from the strategy (see box) shows, the key strands of the strategy are to tackle inactivity, investing more in children and young people, helping to reduce the costs of activity on public spending, helping the sports sector to be more welcoming and inclusive, helping to keep sport up-to-date with regard to digital expectations, encouraging stronger local collaboration, working with a wider range of partners and encouraging behaviour change.



<sup>7</sup> According to [http://www.swindon.gov.uk/info/20113/local\\_plan\\_and\\_planning\\_policy/650/neighbourhood\\_planning/2](http://www.swindon.gov.uk/info/20113/local_plan_and_planning_policy/650/neighbourhood_planning/2) on 15th February 2017

<sup>8</sup> See <https://www.sportengland.org/media/10629/sport-england-towards-an-active-nation.pdf>



- 7.14 The impact of this push towards increased informal participation in sport and for younger ages is likely manifest in slightly different ways for different sports in relation to pitch provision, but for grass pitches it may mean ensuring that there is a focus on good quality provision for younger age groups, ensuring that younger age groups are retained in sports as they move into adulthood by ensuring consistency of that good quality into adult sport and helping to ensure that there is sufficient capacity on artificial pitches to support casual formats of sports .

Football Association “Strategic Plan” 2016-2020 and “National Game Strategy for Participation and Development 2015-2019”

- 7.15 The FA’s “Strategic Plan 2016-2020”<sup>9</sup> is a high level plan which sets out 7 priority aims for the FA. In relation to the amateur game, the focus on female football (to double the player base) and on participation (providing flexible, inclusive and accessible playing opportunities for everyone) are the most relevant to this PPS.



- 7.16 The FA also has a “National Game Strategy for Participation and Development 2015-2019”<sup>10</sup> which sets out, in brief, how the FA will channel £260 million of investment to boost participation and the development of grassroots football in England (see extracts in boxes) with a focus on participation, player development, better training and playing facilities and improvements in the football workforce and improved technology to help run the game more efficiently. The FA is also working with Sport England, the Football Foundation, Premier League and local authorities through the “Parklife” programme<sup>11</sup> to deliver £200 million of investment over 5 years to 2021 to provide 120 affordable and sustainable hub / cluster sites across England with artificial pitches and improved facilities at the grass roots level.



<sup>9</sup> See <http://www.thefa.com/about-football-association/what-we-do/strategy>

<sup>10</sup> See <http://www.thefa.com/-/media/files/pdf/the-fa-2015-16/fa-national-game-strategy-2015-19.ashx?la=en>

<sup>11</sup> See <https://www.sportengland.org/funding/parklife/>

## England Hockey “Facilities Strategy” 2017-2021

- 7.17 As is the case with a number of NGBs, EH’s new facilities strategy<sup>12</sup> reflects the new Sport England strategy, “Towards an Active Nation”. The strategy is based on what it calls a “virtuous circle” which aims to use the success of hockey on the international stage to help create and maintain visibility of the sport and therefore increase participation, both through formal play at clubs and other formats and casual play through offers such as Quicksticks, In2Hockey, Flyerz and Back to Hockey and increasing the number of young players through increasing links

*There will be 3 key objectives for the facilities strategy to help to retain existing players and attract new players into the game.*

1. **Protect:** To safeguard existing hockey provision.
2. **Improve:** To improve the existing facilities stock both at grassroots and elite level.
3. **Develop:** To strategically build new hockey facilities where there is an identified need and ability to deliver and maintain. This might include consolidating hockey provision in a local area where appropriate.

with schools. The strategy has 3 key objectives: to protect pitches, improve facilities and develop facilities. These translate into the strategy’s focus: to retain current provision where appropriate to ensure that hockey is maintained across the country; with current facilities stock ageing, to see strategic investment into refurbishing pitches and ancillary facilities, and recognising that more support is required for clubs to obtain better agreements with facilities providers and to receive better education about owning and maintaining an asset; and, respond to identified demand for multi pitches in the right places to consolidate hockey and allow clubs to have all of their provision catered for at one site.



## England and Wales Cricket Board “Cricket Unleashed” 2016

- 7.18 The ECB’s current 5 year plan, “Cricket Unleashed”<sup>13</sup> was published in 2016. It seeks to create more play, great teams and inspired fans with a focus following on from the direction of travel set for sport as a whole in Sport England’s strategy. The strategy makes commitments to offer support for those playing cricket to perform better, offer the right opportunities for people to take part and give people great experiences to enjoy the game.

- 7.19 This translates therefore, not only to continuing sport for existing clubs and teams but also through to encouraging greater play on a social and informal basis, with formats such as street / tape ball cricket and last man stands both being examples of how cricket is being played outside of the formal structured part of the game. Amongst the many important actions set out for cricket across the game, specifically in relation to pitch provision, the strategy includes actions such as: promote shorter pitch lengths for younger age groups; Invest in new and existing facilities that will deliver More Play opportunities for men and women; develop new facilities in areas of strategic need to allow more people to play cricket more often; and, create partnerships with local authorities to support the protection and improvement in facilities.



<sup>12</sup> See <https://www.englishhockey.co.uk/page.asp?section=2075&sectionTitle=Facilities+Strategy>

<sup>13</sup> See [http://www.cricketunleashed.com/downloadable/Detailed\\_Plan.pdf](http://www.cricketunleashed.com/downloadable/Detailed_Plan.pdf)

## Rugby Football Union National Facilities Strategy

7.20 The RFU National Facilities Strategy<sup>14</sup> is in the process of being revised to reflect the new Sport England strategy “Towards an Active Nation”. However, the focus seems likely to follow the direction of travel set by the Sport England strategy. The main areas of focus for the 2013-2017 strategy are reproduced for context (see box). The strategy’s ten priorities are:

1. Clarity of focus; 2. Overhaul strategy setting and business planning; 3. Develop the quality of leadership; 4. Improve the quality of experience; 5. Maximise the opportunity of RWC 2015; 6. Establish a robust approach to investing RFU money and resources in the sport; 7. Evolve style and effectiveness of communications; 8. Create a culture of collaboration and teamwork across the organisation; 9. Minimise bureaucracy and simplify governance; 10. Develop domestic and international relations.

**There is a continuing need to invest in community club facilities, in order to:**

- Create a platform for growth in club rugby participation and membership, especially with a view to exploiting the opportunities afforded by RWC 2015
- Ensure the effectiveness and efficiency of rugby clubs, through supporting not only their playing activity but also their capacity to generate revenue through a diverse range of activities and partnerships

**The priorities for investment which have met the needs of the game for the previous period remain valid:**

- Increase the provision of integrated changing facilities that are child-friendly and can sustain concurrent male and female activity at the club
- Improve the quality and quantity of natural turf pitches (this includes support for enhanced pitch maintenance programmes)
- Improve the quality and quantity of floodlighting
- Increase the provision of artificial grass pitches that deliver wider game development outcomes

**It is also a high priority for the RFU to target investment in:**

- Social, community and catering facilities, which can support diversification and the generation of additional revenues
- Facility upgrades, which result in an increase in energy-efficiency, in order to reduce the running costs of clubs
- Pitch furniture, including quality rugby posts and pads

## The Strategy’s Relationship with Health and Wellbeing

7.21 The PPS has clear links to helping maintain and improve the physical and mental health and wellbeing of residents in the Borough through the use of pitches by both formal sports clubs and teams, informal and social use of facilities such as artificial grass pitches (AGPs) and also the use of grass pitch space where it is part of an area of open greenspace such as a park or recreation ground. The public health agenda and provision for sport is becoming more focused on provision for informal, casual and social play in addition to formal / competitive play, in order to help get people more active in their day to day lives. There is also a clear role for multi-purpose pavilion or clubhouse facilities in the promotion and use of pitch and facility space for sport and other wider health and recreation activities. There are also close links between the provision of good quality pitches and facility infrastructure with the Get Swindon Active Strategy 2015-2020<sup>15</sup> which seeks, in its Vision, to see “everybody active, every day”. The strategy’s



<sup>14</sup> See

[http://www.englandrugby.com/mm/Document/Governance/ClubSupport/01/30/36/31/nationalfacilitiesstrategyversion\\_Neutral.pdf](http://www.englandrugby.com/mm/Document/Governance/ClubSupport/01/30/36/31/nationalfacilitiesstrategyversion_Neutral.pdf)

<sup>15</sup> See <http://www.swindonsna.co.uk/dna/strategies>



priority areas are: promote forms of exercise which can be built into everyday life e.g. walking; support neighbourhoods, communities and voluntary organisations with initiatives to promote physical activity; influence the built environment so that being active becomes an easy choice for Swindon residents; encourage employers to promote healthy workplaces and encourage physical activity; encourage frontline professionals to promote physical activity; and, continue to provide easily accessible information on opportunities for physical activity within Swindon.

7.22 It will be important for the PPS to inform the Health and Wellbeing Board's Health and Wellbeing Strategy 2017-2022<sup>16</sup> and Get Swindon Active Strategy 2015-2020 when they are next reviewed and revised.

7.23 The data which underpins the Health and Wellbeing Strategy and its "daughter" strategies such as the Get Swindon Active Strategy is set out in the Joint Strategic Needs Assessment (JSNA) which, amongst other data, cites the link between levels of deprivation (identified by the Indices of Multiple Deprivation<sup>17</sup>) across the Borough and impacts on health. Levels of deprivation will need to be considered alongside future programmes of improvement of existing pitches and facilities (where needed) in the Borough and how best to utilise greenspace for improvement in levels of activity, which may or may not involve playing pitches.

7.24 Many of the recommendations of this strategy link closely with some of the principles of "Active Design" supported by Sport England<sup>18</sup>, and the appropriate provision of pitches and associated facilities (in terms of location and quality) can help contribute positively to achieving the delivery of active places "on the ground".



<sup>16</sup> See [https://www.swindon.gov.uk/download/downloads/id/1228/health\\_and\\_wellbeing\\_strategy.pdf](https://www.swindon.gov.uk/download/downloads/id/1228/health_and_wellbeing_strategy.pdf)

<sup>17</sup> See [http://www.swindonjsna.co.uk/Files/Files/Swindon IMD/ID 2015 Summary Report v3 HWB version.pdf](http://www.swindonjsna.co.uk/Files/Files/Swindon%20IMD/ID%202015%20Summary%20Report%20v3%20HWB%20version.pdf) for a report on IMD in Swindon

<sup>18</sup> See <https://www.sportengland.org/facilities-planning/active-design/> for Active Design, October 2015

## 8. The Vision for Playing Pitches in Swindon Borough

### (What should the strategy seek to achieve?)

- 8.1 At the start of the PPS process, the Steering Group overseeing the strategy's development agreed a Vision for the strategy. The Vision, set out below, sets the tone for the treatment of playing pitches in the Borough between 2016 and 2021 (the period that this strategy covers) and in doing so informs the review of the Local Plan in the longer term to 2036.

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#### ***Vision***

*“To provide a robust and comprehensive assessment of needs and deficiencies in the provision of playing pitches (including AGPs) upon which emerging planning policy should be based, and create an up to date evidence base to support policy implementation, informing the provision of playing pitches during the review plan period.”*

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## 9. The Objectives of the Playing Pitch Strategy

### (How will the strategy meet the aspirations set out in the Vision?)

- 9.1 Accompanying the strategy's Vision, a set of objectives has also been developed which set out what the strategy is seeking to achieve. The objectives reflect the role of the strategy in contributing towards sport, activity, health and wellbeing; and, providing up-to-date evidence and strategy framework to help protect, enhance and provide pitches and demonstrate the demand and need for pitches, with the aim of provision in the right places and at the right time.

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#### Objectives

- 1. To utilise Sport England's guidance on developing a PPS to ensure a comprehensive overview of Swindon's playing pitches can be achieved and developed*
  - 2. To work in partnership with the relevant National Governing Bodies to the mutual benefit of all*
  - 3. Collect and collate relevant data in a format that allows easy analysis and interrogation*
  - 4. Utilise and interrogate the data to build a clear picture of the playing pitch provision in Swindon*
  - 5. To assess whether the existing playing pitch standard is fit for purpose*
  - 6. Identify the key findings, issues and challenges facing Swindon's playing pitch provision both now and in the future*
  - 7. Write and adopt a strategy, including a clear set of recommendations and an action / delivery plan*
  - 8. Ensure the strategy is user friendly and can be easily interpreted by Officers.*
  - 9. Develop a team of people who go on to deliver the action plan and recommendations, to keep the data set up to date on an annual basis and to explore potential future work emerging from the data.*
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## 10. Assessment Findings and Recommendations

- 10.1 The Assessment Report concludes with the findings for each sport and pitch type from the data and information gathered and analysed. These, together with the headlines and recommendations which result from analysis are set out below. The detail behind the following sections is set out in the Assessment Report itself. The strategy recommendations for each sport and pitch type are responsive to the requirements set out in the PPS guidance, which suggest that recommendations are set out under the headings of “protect”, “enhance” and “provide”.

## 11. FOOTBALL

### Summary

- 11.1 Football has traditionally been played on grass pitches and the majority of matches seem likely to continue to do so in the short to medium term of the strategy period at least. Grass pitches carry an on-going maintenance cost and there are other pressures such as ensuring their quality in public areas, for example, keeping them free of litter, ‘dog mess’ and vandalism. Particularly poor, wet weather in recent winters has also led to cancellation of many matches and as a result of this and improving technology, the Football Association (FA) supports competitive play for amateur leagues on compliant artificial surface 3G pitches, although these have their own pressures such as the capital investment needed to construct them, ongoing maintenance and the need for a sinking fund to set aside funding for future refurbishment. There remains a significant role for grass pitches in accommodating the large number of teams and age groups wanting to play and will likely remain the key supply for play for the foreseeable future.



Highworth Town FC

- 11.2 The presence of grass pitches which can be protected where their use is justified by demand also helps to protect open space. Teams also train on sand based AGPs due to the lack of supply of 3G pitches. This does, however, introduce pressures on use of sand-based full size AGPs as it is the surface used by the hockey clubs to train and play matches on. Clubs also supplement their outdoor training with use of indoor sports halls during winter where available and cost effective. Sharing of sites for winter and summer sports can deny opportunities for winter season sports to utilise the “home” ground outside of the season, for example for junior football tournaments. Where these issues cannot be overcome on-site, it suggests a role for 3G pitches or alternative grass pitches for football use during the cricket season within close proximity.

### **Grass Pitches**

- 11.3 In Swindon in the 2015/16 season there were 74 affiliated clubs with a total of 292 teams of which 74 (25%) are adult teams, 130 (45%) are youth teams (U11-U18) and 88 (30%) are Mini-Soccer (U5-U10) teams.
- 11.4 There are 170 grass pitches in the Borough, 71 of which have secure community use and 52 of which are unsecure community use. The remainder are in owner / provider (or private) use. Of the pitches with secure community use, there are 8 x 5v5, 12 x 7v7, 9 x 9v9, 6 x 11v11 (youth) and 36 x 11v11 (adult) pitches. For unsecure pitches the figures are 5 x 5v5, 15 x 7v7, 11 x 9v9, 7 x 11v11 (youth) and 11 x 11v11 (adult) pitches. Of those with no community access at present, 10, predominantly school sites have indicated that they would be interested in opening up the site for football, although many of these are on the basis of if funding can be found for them to host an AGP. There are 8 secure sites which share use with another sport and 12 unsecure sites in the same position.
- 11.5 Of the 71 grass pitches with have secure use for the community, 44 are under Borough Council control. The Borough Council is currently (at the time of drafting) going through a process of seeking transfer of many of its playing pitches to control of parish councils, some of which will be newly constituted in spring 2017 in previously unparished parts of the Borough. There is yet no certainty that when these sites are transferred that they will continue to be sites for pitches in the short, medium or long-term. For the purposes of this assessment, the current position in relation to pitch ownership and management and security of tenure has to be assumed. However, it must be noted that the position of security of tenure on some pitches may change in the strategy period to 2021.
- 11.6 Pitches were assessed for quality based on a set of criteria tests set by the FA and Sport England and set out in the PPS guidance<sup>19</sup>. These quality ratings were verified by the FA / WFA to ensure that the audit matched season-long quality in broad terms. Only a handful of pitches on 2 sites with community use were rated as “poor”. These were at Mannington Recreation Ground (2 x adult pitches) and Maunsell Way (1 x 5v5 pitch). The majority of pitches with community use rated at “standard”, with 30 rated as “good”.
- 11.7 Spatially, there is a good distribution of grass pitches across sub-areas relative to population, although there is a noticeable gap in the southern part of the northern sub-area and a concentration of pitches in the western part of the north east sub-area and eastern part of the western sub-area.



<sup>19</sup> Quality ratings for pitches are based on undertaking a site visit to record visual observations relating to indicators of quality. The set of questions answered and observations made are based on forms which have been agreed by NGBs and Sport England and which accompany the PPS guidance produced by Sport England. These are reproduced in Appendix 5 of the assessment report. When an initial score has been ascertained following site visits, these are moderated and “grounded” by other data received (such as club surveys received) and through discussion with NGBs and the local authority (to ensure that a representative quality rating is given which applies across a season). “Sign-off” of the final quality ratings is required by the process and the consultant prior to the data being used to identify the appropriate capacity (in terms of match equivalents) for each pitch.



- 11.8 A significant number of pitches suffer from a high number of cancellations due to wet weather / waterlogging of the pitch and improved drainage could increase reliability. Sites such as Lydiard Park, Ferndale, Isambard, Meadowcroft, The Elms and Supermarine Youth FC have all had a high number of cancellations, usually due to wet weather.
- 11.9 The vast majority of grass pitches have no floodlighting and the greatest amount of use is over the weekends for matches, with few being used for weekday evening training due to a lack of floodlighting. However, the provision of floodlighting, while increasing the opportunity to use a grass pitch, can lead to the quality of the pitch being compromised and pitches with floodlighting, usually in place at higher tier football club grounds with teams playing a better standard than most teams, are commonly protected from over-use by clubs. The FA would be unlikely to support funding bids for floodlighting at grass pitches where teams are not playing to a high standard and so it is unlikely to be an option for most grass pitches.
- 11.10 There is currently a supply (carrying capacity) on secure community use grass pitches of 80 match equivalents per week on mini (5v5 and 7v7) pitches, 28 match equivalents on youth (9v9) pitches and 82 on youth and adult (11v11) pitches; and, on unsecure community use pitches 84 match equivalents per week on mini (5v5 and 7v7) pitches, 33 match equivalents on youth (9v9) pitches and 33 on youth and adult (11v11) pitches. Comparing the carrying capacity of grass pitches with actual use on pitches with secure community access, only 10 are considered as being over-used for the amount of play that their quality rating suggests is appropriate (adult 11v11s at Ferndale Youth and Community Centre, The Elms Recreation Ground, Coleshill Sports Ground, South Marston Recreation Ground, Meadowcroft Recreation Ground; youth 11v11s at Ferndale Youth and Community Centre, The Elms Recreation Ground, Supermarine FC; and, 7v7s at Meadowcroft Recreation Ground (2)). Unsecure pitches at Isambard School, Swindon Academy (youth 11v11); and, Lydiard Park (9v9) are also considered as being over-used. The vast majority of pitches therefore, have some spare capacity for additional use at the current time. For each sub area, when supply / demand balance is totalled and figures for smaller pitches are converted to full size equivalents, the following picture of balance is revealed. All sub areas have some spare capacity which could be utilised subject to appropriate pitch sizes and time and day of use for matches meeting available demand.



Area	Full Size Pitch equivalents	
	Secure	Unsecure
Blunsdon & Highworth	1.5	0.5
Northern	0.5	1
North East	2.5	7.5
Western	3.5	4.5
South East	1.5	0.5
South West	3	3
Ridgeway <sup>20</sup>	1	0.5
Wroughton & Chiseldon	2.5	2.5
<b>Borough</b>	<b>17</b>	<b>14.5</b>

- 11.11 It is understood from consultation responses and discussion with Borough Council officers and the FA / WFA that there has been a decline in the use of local authority pitches in recent years, due to subsidies being withdrawn and the offer of provision not being what clubs expect. This has led to reducing demand and therefore increasing capacity on local authority pitches and increased use of unsecure pitches, which, whilst this may be an acceptable solution in the short term, with no formal community use agreements in place with many providers, this transfer and degree of use on unsecure sites poses a risk to continuity and certainty of supply. A number of clubs expressed concerns about dog fouling issues and clubs (particularly with mini, junior and youth teams) will tend to move away from using such pitches if they are able to do so.
- 11.12 Current levels of use suggest there *may* be opportunities to rationalise or repurpose some current pitches to create either pitch space for other sports or return solely to leisure / recreation use where the capacity provided by the pitch is replaced at a better quality site. However, this action would depend upon the balance of provision likely to be provided by 3G, the potential role of high quality multi-pitch hub / cluster sites and potential capacity it may release from grass pitches. This will be considered as the strategy is developed by the PPS Steering Group. There are also a number of pitches which are no longer used but which could play a role in future supply, depending on the solution developed for the strategy.
- 11.13 Projections indicate that there could be an additional 110 teams across all age groups generated from latent, displaced, unmet and aspirational demand by 2021 (although 6 of these will be demand for small sided games). Translating this to demand for grass pitches for matches only (i.e. assuming that training would be held on an AGP), capacity provided by 16.5 standard quality or 14 good quality pitches would be required. This is without any of this demand being accommodated on 3G full size pitches.
- 11.14 Projecting demand forward from growth in teams, and also assuming use of spare capacity on secure pitches and seeking to move play at unsecure sites to secure sites, this figure changes to an equivalent of an additional 12.5 full size pitches needed by 2021 to accommodate growth in team numbers in the Borough. Again, this figure is for match play only and does not take account of the potential provision that 3Gs could provide.
- 11.15 There are a number of sites for additional new grass pitches in the pipeline and as identified in the assessment, these could provide capacity of up to 5+ full size grass pitch equivalents or 15+ match equivalents if pitches are provided to a “good” quality (based on indications of provision at Tadpole

<sup>20</sup> During consultation on the draft strategy, an additional (junior, secure community use) pitch was identified at Church Meadow, Wanborough. While not in use at the time of pitch audits, it is being used during the 2017/18 season. Therefore, depending on the amount of use and quality of this pitch there may be a small amount of additional spare, or less, capacity (figuratively, and only a fraction of a full size pitch equivalent) within the sub area. Data has not been adjusted to protect the integrity of the data, collected in 2016.

Farm, Tadpole School, St Luke's School (former Headlands School site) and Holy Cross Catholic School). These figures for supply and demand on grass pitches will need to be considered alongside the 3G scenario 2b and its delivery.

### **Artificial Grass Pitches**

11.16 AGPs can provide a secure and high quality surface on which to play football (and hockey and rugby (where they meet the World Cup 22 standard<sup>21</sup>). Hockey is played on sand and water filled pitches with a 25mm pile and the AGPs are used for both matches and training. For football, in recent years, the popularity of AGPs has increased with most informal play (5, 6 and 7-a-side in particular) and some training taking place on AGPs. Some teams will train on sand based AGPs. However, the preference for football use is for 3G pitches which meet the performance standard of FIFA Quality 132 accreditation, which cannot be used for hockey, whereas such surfaces can be shared with rugby where the 3G is sufficiently sprung and meet the World Cup 22 standard. 3G pitches can now host competitive football matches given recent advances in surface improvement and the obvious advantages in quality and reliability, and therefore playing capacity, over traditional grass pitches which require much more maintenance and where bad weather can result in high numbers of match cancellations during a season and fixture congestion in the latter part of the season.

11.17 There are 10 secure use 3G pitches in the Borough, although none are full size. There are 3 full size 3G pitches but these are unsecured community use and therefore pose a risk into the future in terms of relying on them as a key part of supply. These pitches are supplemented by sand based pitches, 7 of which are small and 3 of which are full size (all 3 of which see some use by hockey teams). There are 4 small sand AGPs not in community use. Currently, only the 3G pitches at Croft (secure half size) and Kingsdown (unsecure full size) meet the standards required to be on the FA Football Turf Pitch Register (<http://3g.thefa.me.uk/>). The quality of all AGPs with community use was rated either as "standard" or "good", apart from the notable exception of Isambard School's sand based AGP which was rated as "poor".<sup>22</sup> The surface is considered to be slippery and does not drain well due to poor maintenance, although this is principally a concern for hockey teams which have a smaller supply of sites on which to play than football.

11.18 Some clubs said that the cost of hiring an AGP can dissuade teams, particularly within the younger age groups, from booking AGP time. This can be a bigger issue in the winter months when charges for floodlighting are sometimes in addition to the cost of hiring the pitch. However, while cost is an understandable



<sup>21</sup> World Cup 22 relates to the standard required of artificial turf for rugby. See

[http://www.irb.com/mm/document/lawsregs/regulations/04/21/57/42157\\_pdf.pdf](http://www.irb.com/mm/document/lawsregs/regulations/04/21/57/42157_pdf.pdf) for the full regulation.

<sup>22</sup> Quality ratings for pitches are based on undertaking a site visit to record visual observations relating to indicators of quality. The set of questions answered and observations made are based on forms which have been agreed by NGBs and Sport England and which accompany the PPS guidance produced by Sport England. These are reproduced in Appendix 5 of the assessment report. When an initial score has been ascertained following site visits, these are moderated and "grounded" by other data received (such as club surveys received) and through discussion with NGBs and the local authority (to ensure that a representative quality rating is given which applies across a season). "Sign-off" of the final quality ratings is required by the process and the consultant prior to the data being used to identify the appropriate capacity (in terms of match equivalents) for each pitch.

concern for some clubs, it should be noted that AGPs are expensive to build, run (for example high energy costs for floodlighting) and maintain properly<sup>23</sup> and so a balance has to be struck between providing good quality surfaces and the need to charge appropriately.

- 11.19 17 clubs are known to use 14 AGPs for training, both 3G and sand based pitches, 4 of which are on secure sites (Supermarine Swindome (indoor), Grange Leisure Centre, Croft Sports Centre and Dorcan) and the remainder on unsecure sites. There is a significant amount of play on AGPs from small sided leagues, which is a growing part of the game with 6 small-sided game leagues operating in the Borough. Small sided leagues play at a combination of Swindon Academy (3G), St Joseph's School (sand), Swindome (indoor 3G), Dorcan (sand) and Abbeymeads School (sand), with 86 teams playing in these venues. Some locally affiliated small-sided leagues play at an indoor venue (with multiple surface types) in Bramble Road, amounting to 58 additional teams. With regard to the amount of play on sites, taking into account use of sand based pitches by other sports, there is spare capacity during the peak period of 211 hours on unsecure sites (a combination of sand and 3G surfaces) of which 25 hours is on unsecure 3G pitches and spare capacity of 124 hours on secure 3G sites. Translating this to full size equivalents (given that small pitches are one third a full size and half pitches half a full size pitch), there are 25 hours of availability on unsecure 3G pitches and 47 hours equivalent on secure 3G pitches. There is always going to be a degree of spare capacity on small 3G pitches at weekends with their size meaning that they cannot accommodate teams playing most age group formats. Some use of half size pitches is made at weekends by clubs. Full size and smaller size artificial pitches also see a dip in use, usually on Friday evenings when teams do not wish to train. While figures suggest that there is a reasonably good supply from spare capacity available, much of this is on unsecure sites which cannot be considered as a long term certain part of the supply overall. Other spare capacity tends to be on small pitches which is not always suitable for training for club teams. As noted above, cost was also raised as a concern and reason for some clubs not utilising AGPs which may also explain some of the spare capacity, as will location in relation to teams which do not already use AGPs but would wish to do so near to their club and players' base. The key issue remains, however, that there are no secure 3G pitches in the Borough which could host competitive matches at weekends (and evenings) and only one unsecure pitch which is on the FA Register which could do so (but at risk).
- 11.20 When all catchment areas of both unsecure and secure, sand and 3G pitches with community use are combined, there is good coverage across the Borough. Removing sand AGPs from this picture leaves areas in the south and south east of the Borough without good access to a 3G pitch. However, when restricting catchments to secure 3G sites, these areas plus large parts of the rest of the Borough are without good access to 3G pitches. The most noticeable gap in supply is the lack of any full size secure 3G pitches.
- 11.21 There are a number of sites in the pipeline which could provide full size 3G pitch capacity in the strategy period to 2021. These are at the County ground (phase 2), Moredon Recreation Ground redevelopment, and New College. In addition, there are known other plans for small 3Gs at Churchfields Academy (6 x 5v5 + 1 x 7v7), at Wichelstowe (a football orientated MUGA) and Wroughton Recreation Ground (1 x small 3G).
- 11.22 There is no shortage of "offers" from establishments which are content with hosting a new AGP, some of which have specified 3G and some not (for example, a number of primary schools). When considering future provision, these will need to be considered alongside proposals in the pipeline in the context of location, opportunities for security of tenure and a viable case for delivery.

<sup>23</sup> A 3G pitch for example can cost between £250,000 and £500,000 to build and a further £25,000 per annum contributions towards a "sinking fund" for eventual replacement.

- 11.23 A discussion will need to be had about the relationship between any 3Gs proposed for football and the potential need for ‘future proofing’ of surfaces to ensure that they are capable of accommodating rugby training (i.e. that they meet the World Cup 22 standard<sup>24</sup>).
- 11.24 Three scenarios have been run to try to identify levels of demand for full size 3G pitches. The scenarios are as follows:
1. All adult, youth and junior teams using local authority managed grass pitches as home pitch for competitive play moving to a full size floodlit 3G to play matches. Scenario 1 calculates a range of pitch numbers being required depending on how weekend match slots are managed to make best use of new pitches, with the range being between 7 and 11.5 full size pitches.
  - 2a. All teams playing competitive football having access to a full size floodlit 3G AGP to train on once a week (for existing teams). Scenario 2a calculates a demand for 6 full size 3G pitches.
  - 2b. All teams playing competitive football having access to a full size floodlit 3G AGP to train on once a week (for existing and future projected teams to 2021). Scenario 2b calculates a demand for 7.5 full size 3G pitches. It also has the benefit of introducing capacity for matches at weekends which can form part of a solution which moves towards improving quality and reliability for matches to supplement or replace some grass pitch provision. If evening use by clubs on existing secure small 3G pitches and an allowance for some casual use bookings is discounted from the scenario 2b estimate for demand (based on club responses and provider indications of use by clubs and pay and play), around 60 full size pitch equivalent weekday evening hours could be removed from the scenario’s demand. Based on an 18 hour peak period availability for a full size 3G pitch, this means that current demand for evening training could be using an estimated equivalent of 3.3 full size pitches.
- 11.25 Discounting this from the figure of 7.5 full size pitches established in scenario 2b gives an additional need for 4.2 3G pitches to accommodate training for all competitive teams training once a week on weekday evenings to 2021. To allow for headroom in demand from casual and some transfer of existing demand on sand based pitches for small-sided matches, 5 additional secure 3G pitches could be the target additional provision to 2021. The scenario allows for the transfer of training on sand based unsecure pitches to 3G. However, with unknowns surrounding how much training would transfer from sand based provision to 3G pitches, particularly with regards to concerns raised about cost of hiring pitches, and given that the FA would like to see use of the full size 3G pitch at Kingsdown maximised as the only current approved full size pitch which can host competitive matches (despite it being on a site with unsecured community use), 4 additional 3G pitches may be a more pragmatic target to adopt to 2021.
- 11.26 The scenario results have been considered by the steering group and it is considered that future provision of 3G capacity should focus around scenario 2b which provides sufficient capacity to support training capacity for all teams to 2021 and also provides match day capacity during weekends. There is at least, therefore, sufficient justification of demand to warrant support of the current proposed 3 x 3G pitches on sites in the pipeline.
- 11.27 Allowing for movement of match play at weekends from grass to the 3G capacity provided by 4 pitches (*if it can be maximised*), the requirement for grass pitches to accommodate match day play which cannot be accommodated on 3G pitches would equate to around 36 full size pitch equivalents across the Borough where they are provided to “good” quality (or a carrying capacity equating to 108 full size match equivalents). There is currently 138 match equivalents of carrying capacity available on secure grass pitches in the Borough. This leaves 30 match equivalents (or 10 good quality / 15 standard quality adult size pitches) of *notionally* spare capacity available, if 3G scenario 2b is delivered. The grass pitches already in the pipeline also add a further 15+ match equivalents of

<sup>24</sup> World Cup 22 relates to the standard required of artificial turf for rugby. See <http://www.irb.com/mm/document/lawsregs/regulations/04/21/57/42157.pdf.pdf> for the full regulation.

capacity (5+ pitches assuming they are provided to good quality), if they are provided with secure community use, equating to 45 match equivalents of notionally spare capacity in supply if scenario 2b is delivered, by the end of the strategy period in 2021.

11.28 However, there are a number of reasons why this notionally spare capacity should be retained, as “headroom capacity”, at least until the end of the strategy period in 2021:

- i) Not all spare capacity is likely to be available capacity on the days and at the times that might be required for it to be used;
- ii) Not all spare capacity is capacity available wholly on single sites – i.e. most spare capacity arises from pitches already in use and to lose the capacity on these pitches would mean that teams would have to be moved to alternative pitches or sites to play home matches which could be unacceptable in terms of proximity to the team’s core supply of players, club roots, etc.;
- iii) It is yet unknown the impact of the transfer of local authority controlled sites to parish councils – with regards to which pitches will remain as secure in tenure, and also whether any pitches will be lost from formal pitch use to other leisure uses;
- iv) The strategy is only short-term – additional capacity is likely to be needed beyond 2021 to accommodate known growth in the population to 2026 and beyond within the context of an extended plan period for the next Local Plan;
- v) There may be unforeseeable issues in delivering the 3G provision identified by scenario 2b which could lead to a delay in the provision of the capacity as anticipated;
- vi) To allow for flexibility of when demand changes season to season; and,
- vii) Should all teams calculated in the projections of demand for 3Gs not migrate to a 3G surface to play matches (for example, due to cost, distance away from a 3G pitch, favouring their current home pitch as a preferred ground, etc.).

11.29 Levels of actual and short-term demand will need to be closely monitored to understand how real demand increases during the lifetime of the strategy, particularly after the initial 3 years of the strategy period. As projections of demand and need are based on assumptions around increasing growth and participation, which may or may not come to fruition, additional provision after the first few years of the strategy period should be responsive to demonstrable levels of demand. The movement of demand away from small 3Gs and sand based surfaces to any new full size 3G provision should also be monitored (with regard to potential impact on other sports such as hockey – with use by other sports often being important to maintain viability of full sized sand based pitches in the long term). Importantly, the transition of demand to 3G pitches, both for training and for match play, must be well managed.

## Demand Summary

11.30 The demand summary for the strategy and the “direction of travel” it should take for football provision is as follows. However, it is important to note that figures **should not be read or relied upon in isolation** outside of the context provided by the strategy recommendations.

- Taking current demand into account and comparing to supply, there is an equivalent to around 17 full size grass pitches of potential capacity on secure community use sites which is currently unused. Almost all of this unused capacity is on pitches which are used for matches already with only 1 or 2 pitches not currently used for matches at all. Therefore, while this capacity is unused, most of it is not surplus which can be lost or removed from supply but is “capacity headroom” to accommodate future demand to 2021 and beyond.
- There is an equivalent of 14.5 full size pitches of unused capacity at unsecure sites, with most of these sites having an alternative primary user such as a school, meaning that they are not surplus to supply. Despite this unused capacity at unsecure sites, it cannot be relied upon for



club use given that it has no long-term security of tenure and it is desirable to accommodate teams currently using unsecure sites on secure sites.

- Demand is projected to increase by 2021. Assuming that unused capacity on existing secure sites can be used, moving teams away from unsecure to secure community use sites and taking into account future demand from an increase in the number of teams, an additional 12.5 full size grass pitches would be needed to accommodate additional match play (if 3G pitches do not feature as part of the solution for future provision). Improvements to the quality and reliability of some pitches could help to reduce this number (by increasing carrying capacities).
- 4-5 additional full size floodlit 3G pitches with secure community use are needed by 2021 if all clubs are to have an opportunity to train on a 3G surface. This will provide additional supply / capacity for matches at weekends which will, in turn, reduce the capacity required for additional grass pitches if 3G provision is delivered.
- Provision of new additional pitches will need to respond to demonstrable demand “on the ground”. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity.

## Strategy Recommendations

- 11.31 The above assessment conclusions suggest that the approach to the PPS strategy in Swindon should be as follows.

### BALANCE AND CERTAINTY OF SUPPLY TO ACCOMMODATE DEMAND

- F1 Without the provision of secure full size 3G pitches, there is demand to justify an increase in the capacity provided by grass pitches. However, following a 3G scenario which seeks to deliver 4-5 full size secure community use 3G pitches will, potentially “free-up” some capacity on grass pitches. While this is notionally spare capacity, in reality, this is unlikely to be the case in full “on the ground” and it is recommended that additional work is undertaken to better quantify and understand the feasibility and viability of:
- The impact of the transfer of local authority controlled pitch and facility assets to parish councils on the notional spare capacity, including their potential to become unsecure sites and / or be lost to other leisure uses (a focus on capacity and maintenance that will be provided in the Swindon Central North Parish will be particularly important in this regard due to the number of pitches being transferred in that area). At the time of drafting, it is understood that the following sites would be the most likely to be transferred: Mannington Recreation Ground, Penhill Recreation Ground, Shrewsbury Road, Southbrook Recreation Ground and Pembroke Gardens. However, we understand that Shadow Parish Councils for the new parishes will need to confirm in due course confirm the pitches to be transferred, with decisions on sites to be transferred (or not) being subject to forthcoming Parish Council decision making processes;
  - In light of a better understanding of this impact, consider a programme of replacement of lower quality and unviable grass pitches with new good quality pitches in suitable locations to improve the capacity and quality of provision across the Borough. Any such replacement should not unduly impact teams currently using them, for example, by risking the team or club’s long-term viability or leaving a significant spatial gap in grass or 3G pitch provision within the sub area;
  - The need for grass pitch capacity beyond the strategy period to 2021, at least to 2026 (the current Local Plan period);
  - The “transition pathway” of demand for current use of grass pitches for matches to the use of new 3G pitches (i.e. which teams will realistically move to a 3G pitch as a home ground and will it be a logistically possible and viable option);
  - Demand for grass and 3G pitch capacity beyond the strategy period (which runs to 2021);
- F2 Within the context of the above additional work, consider how best to deal with secure community use pitches which are not currently used for matches

- F3 The identified notional spare grass pitch capacity at pitches already used for matches should be retained during the strategy period for the above reasons to allow “capacity headroom”, at least until this additional work and the longer-term requirements of and balance between 3G and grass pitches across the Borough (at least until 2026) is understood.
- F4 The supply / capacity provided by existing grass pitches within a 20-minute drive-time catchment of a new 3G pitch should not be considered for loss from formal use / supply until their capacity is replaced and utilised by operational secure community use 3G capacity and they are deemed surplus over and above the identified “capacity headroom”. No team should be left without its usual home grass pitch just because a 3G has been provided and transition from grass to 3G use must be well-managed.
- F5 For all of these reasons, a “plan, deliver, monitor, manage” approach should therefore be taken to the management and any necessary “re-packaging” of existing supply and the provision of additional capacity.

### **Grass Pitches**

#### **PROTECT**

- F6 Protect the existing supply of pitches identified in the assessment unless the strategy proposes their replacement or alternative re-use for sport, leisure and recreation. Where pitches are lost to formal pitch use, seek to ensure that there is significant policy protection through the Local Plan or Neighbourhood Plans or legal means to prevent their loss as open or green space.
- F7 Seek the security of future supply of pitches transferred away from local authority control and management as part of the transfer process, if it is not already being done, unless their future as pitches is not required through the strategy.

#### **ENHANCE**

- F8 Enhance capacity on existing pitches by improving quality and improve maintenance to ensure that the better quality is sustained in the long-term.
- F9 Enhance the quality of changing and other ancillary facilities where necessary and possible to help ensure the quality of the experience for the sport is enhanced, for example (but not limited to):
- i) Mannington Recreation Ground facilities
  - ii) Moredon Playing Fields, where the wider package of improvements proposed should be supported
  - iii) Penhill Recreation Ground
  - iv) NALGO pitches’ facilities
- F10 Gain the secure use of pitches which currently have unsecure use through clubs and relevant authorities working with pitch providers / owners to seek a long-term secure use agreement to provide certainty of supply and reduce the need for additional new pitches (where desirable by the club and provider).
- F11 Improve the current use of existing pitches, where physically and logistically possible, by considering flexibility of when matches take place.
- F12 Enhance the quality of existing secure community use pitches or consider replacement where flooding / waterlogging is known to be an issue preventing consistency and certainty of play by improving drainage (where viable / subject to funding and a business plan being in place to ensure maintenance costs are catered for in the long-term):
- i) Mannington Recreation Ground pitches (F1081 and F1083) within the context of current pitch rotation across pitches / site which are rated as poor



- ii) Consider drainage improvements on appropriate pitches at Croft Sports Centre (the 9v9 pitches in particular) where, across all pitches, although not rated as poor, there has been reported poor drainage during wet weather
  - iii) Consider drainage improvements on appropriate pitches at The Elms Recreation Ground where, across all pitches, although not rated as poor, there have been a significant number of cancellations during a season due to waterlogging
  - iv) Consider drainage improvements on appropriate pitches at Ferndale Youth and Community Centre where, across all pitches, although not rated as poor, there have been a significant number of cancellations during a season due to waterlogging
  - v) Consider drainage improvements on appropriate pitches at Meadowcroft Recreation Ground where, across all pitches, although not rated as poor, there have been a significant number of cancellations during a season due to waterlogging
  - vi) Consider drainage improvements on the pitch at The Grange Leisure Centre where, although not rated as poor, there has been an issue with poor drainage during wet weather
  - vii) Consider drainage improvements on the pitches at Hoopersfield where, although not rated as poor, there has been an issue with poor drainage during wet weather
  - viii) Consider drainage improvements on the pitches at Shrewsbury Road where, although not rated as poor, there has been an issue with poor drainage during wet weather
  - ix) Consider drainage improvements on appropriate pitches at pitches used by Supermarine Youth FC (F1170, F1171 and F1192) where, across all pitches, although not rated as poor, there have been a significant number of cancellations during a season due to waterlogging
  - x) Consider drainage improvements on appropriate pitches at South Marston Village Recreation Ground where, across all pitches, although not rated as poor, it has been reported that there has been an issue with poor drainage during wet weather
  - xi) Consider drainage improvements on appropriate pitches at Maunsell Way pitches (within the context of current pitch rotation across pitches / site) where, although not rated as poor, it has been reported that there has been an issue with poor drainage during wet weather
  - xii) Consider drainage improvements on appropriate pitches at Chiseldon Recreation Ground where, across all pitches, although not rated as poor, there have been a number of cancellations during a season due to waterlogging
  - xiii) Consider drainage improvements on appropriate pitches at Supermarine Youth FC where, across all pitches, although not rated as poor, there have been a number of cancellations during a season due to waterlogging
- F13 Enhance the quality of existing pitches where they are subject to dog fouling by introducing open fencing and signage where cost effective to do so and practical to do so (in view of the available space outside the pitch for recreational use and where shared pitch sites can be fenced without compromising the quality of summer sports' areas of play). For example, at:
- i) Hoopersfield pitches
  - ii) Shrewsbury Road pitches
  - iii) Wanborough Recreation Ground
  - iv) Maunsell Way pitches
- F14 Consider improvements to pitches not currently used to ensure formal use and improve quality or rationalise for alternative use, replacing capacity elsewhere, if not practical or cost effective to make improvements:
- i) Pembroke Gardens' 2 x adult pitches (F1117 and F1118) have not been used this season and are unpopular with teams due to poor facilities, dog fouling and inadequate parking.
- F15 If necessary, consider securing capital contributions to enable purchase and assist with running costs of a "bank" of specialist maintenance equipment to address need, following handover of responsibility for grass pitch maintenance away from the Borough Council to Parish Councils.
- F16 For development proposals outside of Swindon's New Communities and as detailed in the Council's adopted CIL Regulation 123 Infrastructure list, CIL monies can be secured towards the upgrade and

management of existing strategic outdoor sports and recreation provision and creation of new provision and associated facilities (this includes playing pitches as identified in the PPS).

## PROVIDE

- F17 Where the loss of an existing pitch is unavoidable, ensure that replacement pitch capacity and associated facilities are provided to a good quality standard in a location appropriate to demand to mitigate loss. Opportunities should be taken to replace pitches to a better quality than the provision they are replacing.
- F18 Ensure that the provision of any new pitches and facilities meet the most up-to-date quality design standards and dimensions supported by the FA and Sport England.
- F19 Ensure that any new facilities and other associated pitch infrastructure are provided to meet the most up-to-date Building Regulations, including, but not restricted to, those relating to accessibility.
- F20 Ensure that any new pitches and facilities have a sustainable long-term business and financial management plan in place to ensure long-term viability.
- F21 Ensure that any proposed new grass pitches have certainty of users (clubs / teams) committed to them and that commitments to the management and maintenance of the ground are in place prior to delivery.
- F22 Ensure that all new pitches and facilities have a secure community use agreement in place for the long-term (preferably in perpetuity) and that the appropriate body is identified to monitor and enforce such agreements.
- F23 New pitches should be secure and be resistant to dog fouling and vandalism.
- F24 Consider provision of additional pitches on hub / cluster sites, to include multi-sports if necessary to ensure that pitches are financially sustainable in the long-term and to help ensure economies of scale can be achieved.
- F25 Proactively consider opportunities to utilise sites not currently available for community use where the provider has indicated a desire to do so, where they fill a spatial gap in supply, address a local team's demand and where secure use can be agreed.
- F26 Ensure that the supply of grass pitches can accommodate existing and future demand for matches in sync with the provision of additional 3G capacity (identified below). At no time should the total supply of grass pitches not be able to accommodate demand for play out-with 3G capacity and "on the ground" demand for match play by each age group within the structure of the game.
- F27 Where needed, increased capacity of grass pitches could come from a combination of:
- Increasing reliability of pitches through improved drainage and maintenance;
  - Considering reconfiguration of pitches on multi-pitch sites where this can introduce an additional pitch; and,
  - Provision of additional pitches in appropriate locations to:
    - respond to growth in demand (as a result in club growth, growth in social / informal and non-club participation, increased population and spatial gaps in provision); and / or,
    - replace and increase the capacity of existing pitches of poor or standard quality; or, which prove uneconomical to manage and maintain; or, are unattractive to club use due to quality and / or cost.



- F28 Provision of new additional pitches which increase net capacity / supply will need to respond to demonstrable demand “on the ground”. This is particularly important in the latter part of the strategy period to ensure that supply responds to demand which has actually come forward.
- F29 Enable opportunity in the Borough for club progression up the FA pyramid by ensuring that one or more pitches can meet FA requirements for progression.
- F30 The provision of additional pitches and / or facilities should be closely co-ordinated between NGBs, clubs, leagues, Sport England, the local authority, and the land owner (where not one of the aforementioned bodies).
- F31 Where development proposals outside of Swindon’s New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.
- F32 Where development proposals within Swindon’s New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.

### **3G Pitches**

#### **PROTECT**

- F33 Protect the existing supply of secure 3G pitches identified in the assessment.
- F34 Seek agreement between hockey (EH) and football (FA), and with providers and clubs, about which sport should have sole or priority use of sand based full size AGPs as new 3G pitches proposed are introduced.

#### **ENHANCE**

- F35 Gain the secure community use of the full size FA Registered 3G pitch at Kingsdown (which currently has unsecure use) through relevant authorities working with the pitch provider / owner to seek a long-term secure use agreement to provide certainty of supply and minimise the need for additional new pitches.
- F36 Enhance the quality of changing and other ancillary facilities where necessary and possible to help ensure the quality of the experience for the sport is enhanced.
- F37 For development proposals outside of Swindon’s New Communities and as detailed in the Council’s adopted CIL Regulation 123 Infrastructure list, CIL monies can be secured towards the upgrade and management of existing strategic outdoor sports and recreation provision and creation of new provision and associated facilities (this includes playing pitches as identified in the PPS).



**PROVIDE**

- F38 Provide up to 4 additional floodlit full size 3G pitches across the Borough in the strategy period to ensure that all teams have access to evening and reliable surface training and to provide match capacity at weekends to complement grass pitch capacity. Should a demand for additional 3G pitches be identified during the strategy period, the supply / capacity of grass pitches may need to be re-adjusted and potential displaced demand from sand-based AGPs will need to be understood.
- F39 3G pitches should only be located in locations outside areas of flood risk.
- F40 Ensure that 3G provision is introduced in a phased and managed way to ensure that provision is made to reflect actual need and demand “on the ground”. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity.
- F41 Ensure that delivery of additional 3G pitch capacity takes into account use of non 3G based pitches by teams for training and is introduced in-step with demand required by hockey teams for additional sand based pitches.
- F42 Ensure that delivery of 3G capacity does not compromise the continued use of existing grass pitches for matches unless provision is intended to replace capacity on one or more grass pitches with the replaced pitches being re-purposed for other sport or recreational use.
- F43 Ensure that the provision of any new 3G pitches and facilities meet the most up-to-date quality design standards and dimensions supported by the NGB and Sport England.
- F44 Ensure that any new facilities and other associated pitch infrastructure provided alongside new 3G pitches are provided to meet the most up-to-date Building Regulations, including, but not restricted to, those relating to accessibility.
- F45 Ensure that any new 3G pitches and facilities have a sustainable long-term business and financial management plan in place to ensure long-term viability. This includes the need for a sink fund to retain funds during use for refurbishment or replacement of the surface, a maintenance programme agreed between the provider, local authority and the FA, and the provider must report to the local authority, Sport England and the FA on an annual basis on the state of the sink fund and statement of availability and use during the agreed peak period hours.
- F46 Ensure that any proposed new 3G pitches have certainty of users (clubs / teams) committed to them and that commitments to the management and maintenance of the ground are in place prior to delivery.
- F47 Ensure that all new 3G pitches and facilities have a secure community use agreement in place for the long-term (preferably in perpetuity) for community access for a 34 hour peak period<sup>25</sup> where feasible and that the appropriate body is identified to monitor and enforce such agreements. Providers should ensure that provision is made for different user groups during the peak period including clubs, pay and play, informal use and casual leagues.
- F48 The provision of additional 3G pitches and / or facilities should be closely co-ordinated between NGBs, clubs, leagues, Sport England, the local authority, and the land owner (where not one of the aforementioned bodies).
- F49 The provision of additional 3G pitches should be based on the above recommendations and also spatial gaps, opportunities for hub / cluster sites such as redevelopment of existing multi-pitch sites and / or strategic



<sup>25</sup> The peak period is Mon-Thurs 5pm-9pm, Fri 5pm-7pm and Sat and Sun 9am-5pm.

development allocations demand and need in relation to existing provision and demand from sub areas.

- F50 There are a number of locations (options) that should be considered by the local authority and key stakeholders for the required number of new additional full size 3G pitches. These are listed below. There may be other options which present themselves during the strategy period and the local authority and partners will need to consider these in light of the recommendations of this strategy, including, but not limited to, projected demand, ease of delivery, timing of delivery, appropriate phasing so as not to introduce more capacity than required in a short period, viability and certainty of security of community use. The identification of options below does not indicate that any or all of them will come forward – they are options for consideration within the context of the assessment and requirements for 3G provision identified. The sites listed are not in any preferential or priority order.
- i) County Ground (phase 2);
  - ii) Ridgeway School;
  - iii) Moredon Recreation Ground redevelopment; and,
  - iv) New College.
- F51 As part of the solution to provide sufficient capacity to accommodate demand for 4 3G pitches, in addition to the full size sites identified above, the following sites could be considered to provide the +1 full size flood lit equivalent pitch capacity required should secure use agreements be able to be put in place and the proposals come forward, as currently understood. The sites are not prioritised in any order and the required additional capacity could be provide by one or more options. Any proposal should also meet the other recommendations for 3G pitches in the assessment and strategy and the ability to meet these may prioritise some locations and sites over others. There may be other sites which come forward during the strategy period which meet the recommendations for 3G pitches in the assessment and strategy not named below:
- i) Half / full size pitch at Warneford High School, Highworth;
  - ii) Half size (probable) pitch at Wroughton Recreation Ground.
- Sites which are proposed which take the total capacity on secure sites beyond that identified in the assessment could come forward towards the end of the strategy period to help ensure that capacity beyond the strategy period are provided to provide future capacity.
- F52 The costs of hiring 3G pitch time and space will need to be competitive to help ensure future viability but it is important that, to help enable transition from use of grass for matches to maximise use of capacity on 3Gs at weekends, match play charges reflect those paid for grass pitch use.
- F53 The deliverability of new 3Gs in a timely manner on secure and managed sites hosted by providers which will adhere to the recommendations for 3Gs above and in line with the other recommendations in this strategy are critical to the successful delivery and community use of pitches.
- F54 Proposals for full size 3Gs in areas outside of those identified above may be appropriate if it can be demonstrated that they are viable in the long-term and will not place at risk the viability of agreed peak time use or capacity at secure community use 3Gs. In such cases, reduced peak time community use hours may be appropriate to help ensure that the viability of other sites is not put at risk.
- F55 Where development proposals outside of Swindon's New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.
- F56 Where development proposals within Swindon's New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.



## Advisory Standards

11.32 Advisory standards are set out below to provide guidance to those planning for future provision of pitches:

- With regard to provision of new, additional and / or improved facilities and pitches, the following **advisory guidelines** are provided for **grass pitches**:
  - Quality: Pitches and facilities should conform to the most up-to-date NGB guidance. New pitches should be provided to good quality and able to accommodate 3 match equivalent sessions per week with an appropriate maintenance regime to maintain this quality.
  - Accessibility: Pitches and facilities should conform to the most up-to-date Building Regulations and NGB guidance; be easily and safely accessible by cycle, foot and public transport; have secure cycle storage / parking; and, have sufficient car parking spaces to accommodate demand for the use of the facility and any associated shared uses and comply with the most up-to-date Highways Authority, Local Planning Authority and Sport England requirements / guidance. Ancillary facilities should be secure. Clubs and teams should be able to access a grass pitch for home matches within a reasonable distance / travel time of where the core of a squad reside, subject to the balance of provision with 3G pitches provided in accordance with the distance / catchment standard set for 3G pitches. However, provision of new grass pitches should not be made in locations where the cost of ensuring quality, viability in the long-term or security of a facility is in doubt. Residents of new strategic development should have access to a mini or youth grass pitch within 600 metres (or 15 minute) walking distance subject to demonstrable demand “on the ground” (and within the context of adult pitch and 3G provision) as part of open space provision (which is subject to separate standards).
  - Quantity: The Sport England Playing Pitch Calculator should be used by the local authority to generate baseline figures for pitch requirements relating to new development sites (usually at the pre-application stage of the planning process). Such figures must be used only as a starting point and not used in isolation without reference to area requirements for need and demand set out in the assessment report and strategy.
- With regard to provision of new, additional and / or improved facilities and pitches, the following **advisory guidelines** are provided for **3G pitches**:
  - Quality: Pitches and facilities should conform to the most up-to-date NGB guidance. Pitches should have a “sinking fund” for certainty of future refurbishment / replacement of the surface and an appropriate maintenance regime in place to maintain good quality.
  - Accessibility: Pitches and facilities should conform to the most up-to-date Building Regulations and NGB guidance; be secure; be easily and safely accessible by cycle, foot and public transport; have secure cycle storage / parking; and, have sufficient car parking spaces to accommodate demand for the use of the facility and any associated shared uses and comply with the most up-to-date Highways Authority, Local Planning Authority and Sport England requirements / guidance. Pitches should be available for 34 peak period hours (Mon – Thurs 5pm-9pm, Fri 5pm-7pm and Sat – Sun 9am-5pm), be floodlit and have secure community use, with some hours made available for informal and pay and play use (subject to demand). Residents should be able to access at least 1 full size 3G pitch within a 20 minute drive (not a radius / as the crow flies) (approximately<sup>26</sup> 5 miles based on an average urban area driving speed of 15mph). Where demand is addressed through the provision of small or half size pitches, residents should be able to access at least 1 within a 10 minute drive (not a radius / as the crow flies) (approximately<sup>27</sup> 2.5 miles based on an average urban area driving speed of 15mph). These standards apply where demonstrable demand exists on the ground and where a facility is feasible and viable in the long-term.
  - Quantity: A total of up to 7.5 full size equivalent 3G secure community use floodlit pitches are estimated as the required supply to meet demand to 2021 (if scenario 2b in the Assessment is delivered). On a very basic pro-rata basis, this equates to 1 pitch per 32,000 population (subject to demonstrable demand “on the ground” and long-term viability).

<sup>26</sup> this is an approximate figure as average traffic speeds vary from location to location and route to route and will change during the strategy period. Up to date GIS based traffic times should be used to estimate how far a catchment will extend based on the times given.

<sup>27</sup> this is an approximate figure as average traffic speeds vary from location to location and route to route and will change during the strategy period. Up to date GIS based traffic times should be used to estimate how far a catchment will extend based on the times given.

## 12. HOCKEY

### Summary

12.1 AGPs can provide a secure and high quality surface on which to play hockey, football and rugby where they meet the World Cup 22 standard<sup>28</sup>. Hockey is played on sand and water filled pitches with a 25mm pile and the AGPs are used for both matches and training. Hockey matches are typically played over a weekend with adult teams playing on Saturdays and junior teams on Sundays. Training usually takes place on weekday evenings. For football, in recent years, the popularity of AGPs has increased with most informal play (5 and 7-a-side in particular) and some training taking place on AGPs. The preference for football use is for 3G pitches which meet the performance standard of FIFA Quality 132 accreditation, which cannot be used for hockey, whereas such surfaces can be shared with rugby where the AGP meets the World Cup 22 standard. In Swindon, football teams are using sand based AGPs to train, and small sided leagues use sand based surfaces for a base. This places some pressure on supply available to hockey clubs for training on weekday evenings in particular.

12.2 Hockey demand is reasonably well-provided for in the Borough with supply currently meeting demand. There is currently a supply (carrying capacity) of 97 hours in the peak period. However, this capacity is shared with football teams using the pitches for training or for social / informal / small sided football. Current demand from hockey use is around 20 hours per week. However, in reality, supply is at risk with all full size pitches available to and used by hockey clubs being on unsecure sites. Swindon Hockey Club (HC) has its home pitch at Isambard but there are consistent issues with regard to quality<sup>29</sup> with the surface rated as poor and often being too slippery to play on safely. The club has been playing on occasion on the pitch at St Joseph's Catholic College as a result of a high number of cancellations at Isambard for both training and matches. However, both sites are unsecured community use with no formal community use agreement in place. North Wilts HC plays at Dorcan and while there is some security of use for the next few years, this is only in place until the end of the strategy period and so there is a medium term risk that capacity at this site could be lost to an alternative use or 3G surface for football. All of the sites that hockey clubs play on are also used of other sports in the peak period. For the clubs to sustain current demand and grow with confidence, they need a home ground / pitch which has a secure use agreement in place for the long term, beyond the strategy period.



<sup>28</sup> World Cup 22 relates to the standard required of artificial turf for rugby. See

[http://www.irb.com/mm/document/lawsregs/regulations/04/21/57/42157\\_pdf.pdf](http://www.irb.com/mm/document/lawsregs/regulations/04/21/57/42157_pdf.pdf) for the full regulation.

<sup>29</sup> Quality ratings for pitches are based on undertaking a site visit to record visual observations relating to indicators of quality. The set of questions answered and observations made are based on forms which have been agreed by NGBs and Sport England and which accompany the PPS guidance produced by Sport England. These are reproduced in Appendix 5 of the assessment report. When an initial score has been ascertained following site visits, these are moderated and "grounded" by other data received (such as club surveys received) and through discussion with NGBs and the local authority (to ensure that a representative quality rating is given which applies across a season). "Sign-off" of the final quality ratings is required by the process and the consultant prior to the data being used to identify the appropriate capacity (in terms of match equivalents) for each pitch.

12.3 Between the two clubs there are 20 teams, with 9 of these being adult teams and the rest junior. There has been some interest in the Borough in establishing school-links hockey and informal sessions such as Back to Hockey. Following England Hockey's (EH) target for doubling participation rates by 2026, a 50% increase in current numbers of players registered with clubs across age groups by the end of the strategy period (2021) suggests that an additional 32 players could arise at North Wilts HC (equating to almost 2 additional teams) and 82 at Swindon HC (equating to around 5 additional teams), a total of 7 teams (equivalent) across the Borough. Working through the required number of hours for training on weekday evenings and matches at weekends for the total number of anticipated teams by 2021, a total of almost 28 hours of full size pitch time will be needed to accommodate demand, an increase of 8 hours on current levels of time used. **This equates to a need for 2-3 full size pitches to accommodate match day play on Saturdays and Sundays.** Training needs can easily fit within this level of provision, amounting to almost 11 hours of time on a full size pitch during midweek evenings for both clubs (where training is held on one third of a pitch for one team and with 1 full size AGP supporting up to 18 hours of weekday evening time).

12.4 With concerns about security and quality of supply at the club's main home pitches (Dorcan and Isambard), the strategy should look to replace use of these pitches with pitches with security of tenure in the long-term.

12.5 The site in the pipeline at Wichelstowe could form part of this solution and the site is well-placed within the Borough to serve a catchment which will cover much of the southern part of the Borough. This could serve to fill an immediate need for security of tenure and provision of a pitch of high quality for Swindon HC, with continued failings of the pitch at Isambard. Until this site is available, the club could take the opportunity to continue to build relationships with St Joseph's school to help provide some short-term security of use of the pitch but also to build school-links to encourage more children to play the game. In the short-term, North Wilts HC seems likely to be able to continue to use the pitch at Dorcan. However, the uncertainty over the site's future means that an alternative



Isambard AGP

site will need to be found for the club. Spatially, if the Wichelstowe pitch is delivered, the Borough would ideally have a second full size pitch located for hockey use in the northern half of the Borough, for example, on its edge as part of a strategic development (such as the new Eastern Villages development or Kingsdown) or at a school site from those schools which expressed an interest in hosting an AGP, if the opportunity can be taken, in order to maximise its catchment area to attract players and prevent the displacement of players to clubs outside the Borough to the north, east and west of the Borough. Such positioning should help to capture some of the latent and displaced demand shown by the figures comparing Swindon to other settlements levels of hockey participation and club membership.

12.6 Clearly, timing will be critical, with a need to identify a site early in the strategy period to ensure delivery prior to the end of the current contractual arrangement between the Borough Council and GLL which currently ensures that the AGP remains and does so with community use. If these two new pitches can be brought forward with security of tenure this will provide the clubs with a solid base upon which to sustain and grow the clubs and informal participation. Of the current pitches used by hockey, it would seem logical for clubs to make links with local schools to help grow the game and for



the pitch at St Joseph's to continue to play a positive role in supplementing capacity (perhaps for both clubs, but at least with Swindon HC) if security of tenure or at least a formal agreement of use can be established. Notwithstanding the security of tenure, agreement should be reached between clubs, EH, the Borough Council and providers with regard to certainty of capacity available solely for hockey use compared to other sports. Should the strategy suggest a significant increase in the provision of 3G pitches for football, this additional provision is unlikely to lead in itself to a loss of pitch time or availability for hockey on sand based surfaces.

- 12.7 Spatially, there is a lack of provision or access within a 20 minute drive-time catchment in the Wroughton and Chiseldon sub area in particular. However, the proposal for a full size sand based pitch at Wichelstowe School will plug the gap and provide a significant facility in the southern part of the Borough. Loss of one or more of the pitches currently used for hockey could result in a significant part of the Borough without access to a full size AGP for hockey.
- 12.8 Levels of actual and short-term demand will need to be closely monitored to understand how real demand increases during the lifetime of the strategy. The strategy for hockey beyond 2021 will need to be reconsidered during 2019/20 in light of changes in demand and the position with regard to the proposed additional capacity being delivered and used.

## Demand Summary

- 12.9 The demand summary for the strategy and the “direction of travel” it should take for hockey is as follows. However, it is important to note that figures for supply, demand and standards **should not be read or relied upon in isolation** outside of the context provided by the strategy recommendations.
- There is currently a supply (carrying capacity) of 97 hours in the peak period. However, this capacity is shared with football teams using the pitches for training or for social / informal / small sided football. Current demand from hockey use is around 20 hours per week. **Current demand is met by supply** and availability during the peak period for matches and training.
  - **Demand is projected to increase by 2021.** Taking into account additional future demand, an additional 32 players could arise at North Wilts HC (equating to almost 2 additional teams) and 82 at Swindon HC (equating to around 5 additional teams), a total of 7 teams (equivalent) across the Borough. A total of almost 28 hours of full size pitch time will be needed to accommodate demand, an increase of 8 hours on current levels of time used. **This equates to a need for 2-3 full size secure community use pitches with floodlighting to accommodate match day play on Saturdays and Sundays. Training needs can easily fit within this level of provision**, amounting to almost 11 hours of time on a full size pitch during midweek evenings for both clubs (where training is held on one third of a pitch for one team and with 1 full size AGP supporting up to 18 hours of weekday evening time).
  - Provision should be made based on 2 secure full size floodlit AGPs with a third additional full size pitch provided only in response to demonstrable demand “on the ground”. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity.

## Strategy Recommendations

- 12.10 The above assessment conclusions suggest that the approach to the PPS strategy in the Borough should be as follows:

### BALANCE AND CERTAINTY OF SUPPLY TO ACCOMMODATE DEMAND

- H1 Consider undertaking additional work to better understand the likely demand to arise beyond the strategy period to 2021, particularly in relation to growth arising from housing development and the impact of current England Hockey initiatives to increase participation.

### PROTECT

- H2 Protect the existing supply of pitches (and the capacity they provide) identified in the assessment unless replacement capacity is provided.
- H3 Protect the current number of hours used by hockey in the peak period as a minimum (i.e. seek to prevent use by additional football training on pitches used for hockey).
- H4 Seek to protect capacity provided at Dorcan beyond the current contractual agreement for its use, should provision proposed below not be deliverable before the end of the strategy period (2021).
- H5 Seek agreement between hockey (England Hockey) and football (Football Association), and with providers and clubs, about which sport should have sole or priority use of sand based full size AGPs as new 3G pitches proposed are introduced.

### ENHANCE

- H6 Gain formal agreement or security of use of the pitch at St Joseph's school through clubs, EH and other relevant authorities working with pitch providers / owners to sustain current capacity for hockey at the site.
- H7 Seek improvements to quality of the pitch at Isambard to help provide consistency of supply and quality in short-term capacity.
- H8 For development proposals outside of Swindon's New Communities and as detailed in the Council's adopted CIL Regulation 123 Infrastructure list, CIL monies can be secured towards the upgrade and management of existing strategic outdoor sports and recreation provision and creation of new provision and associated facilities (this includes playing pitches as identified in the PPS).

### PROVIDE

- H9 Where the loss of an existing pitch is unavoidable, provide replacement pitch capacity to good quality standard in a location appropriate to demand to mitigate loss.
- H10 Ensure that the provision of any new pitches and facilities meet the most up-to-date quality design standards and dimensions supported by the NGB and Sport England and include floodlighting.
- H11 Ensure that any new facilities and other associated pitch infrastructure are provided to meet the most up-to-date Building Regulations, including, but not restricted to, those relating to accessibility.
- H12 Ensure that any new pitches and facilities have a sustainable long-term business and financial management plan in place to ensure long-term viability. This must include arrangements for a sinking fund to ensure that the replacement or refurbishment of the pitch surface is viable when renewal is likely to be required. It should also include a management and maintenance regime appropriate for the surface and level of use agreed with the appropriate bodies (for example, the Borough Council, EH and / or Sport England).

- H13 Ensure that all new pitches and facilities have a secure community use agreement in place for the long-term (preferably in perpetuity) for peak period use (Mon-Thurs 5pm – 9pm and Fri 5pm -7pm where floodlighting is put in place and Saturday and Sunday 9am-5pm) and that the appropriate body or bodies are identified to monitor and enforce such agreements.
- H14 The provision of additional pitches and / or facilities should be closely co-ordinated between NGB, clubs, leagues, Sport England, the local authority, and the land owner (where not one of the aforementioned bodies).
- H15 Monitor closely the change in demand to map against projected demand and understand the real demand “on the ground” for additional match and training time. The delivery of additional pitches should be made in a timely fashion, i.e. co-ordinated in alignment with demand, availability of supply and risk of loss of existing supply on unsecure sites. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity.
- H16 New AGP pitches should only be located in locations outside areas of flood risk.
- H17 Deliver a new full size floodlit AGP suitable for hockey use at Wichelstowe.
- H18 Consider and find an appropriate location for an additional full size floodlit AGP suitable for hockey in the northern part of the Borough, for example at one of the sites currently in the pipeline such as at a strategic development, or at a site where a provider or host is looking to develop a new sand based AGP (for example at a school or Academy site) where the above requirements can all be met to ensure certainty of use, quality and accessibility to hockey clubs.
- H19 New AGPs should be located on a managed site hosted by a provider which will: adhere to the recommendations for pitches above; and, not rely on third party management of the pitch and ancillary facilities.
- H20 Where development proposals outside of Swindon’s New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.
- H21 Where development proposals within Swindon’s New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.



## Advisory Standards

- 12.11 Advisory standards are set out below to provide guidance to those planning for future provision of pitches:
- With regard to provision of new, additional and / or improved facilities and pitches, the following **guidelines** are provided:
    - Quality: Pitches and facilities should conform to the most up-to-date NGB guidance. Pitches should have a “sinking fund” for certainty of future refurbishment / replacement of the surface and an appropriate maintenance regime in place to maintain good quality.
    - Accessibility: Pitches and facilities should conform to the most up-to-date Building Regulations and NGB guidance; be secure; be easily and safely accessible by cycle, foot and

public transport; have secure cycle storage / parking; and, have sufficient car parking spaces to accommodate demand for the use of the facility and any associated shared uses and comply with the most up-to-date Highways Authority, Local Planning Authority and Sport England requirements / guidance. Pitches should be available for 34 peak period hours (Mon – Thurs 5pm-9pm, Fri 5pm-7pm and Sat – Sun 9am-5pm), be floodlit and have secure community use, with some hours made available for informal and pay and play use (subject to demand). Residents should be able to access at least 1 full size sand based AGP within a 20 minute drive (not a radius / as the crow flies) (approximately<sup>30</sup> 5 miles based on an average urban area driving speed of 15mph). Where demand is addressed through the provision of small or half size pitches, residents should be able to access at least 1 within a 10 minute drive (not a radius / as the crow flies) (approximately<sup>31</sup> 2.5 miles based on an average urban area driving speed of 15mph). These standards apply where demonstrable demand exists on the ground and where a facility is feasible and viable in the long-term.

- Quantity: A total of up to 3 full size equivalent sand based secure community use floodlit pitches are estimated as the required supply to meet demand to 2021. On a very basic pro-rata basis, this equates to 1 pitch per 79,998 population (subject to demonstrable demand “on the ground” and long-term viability).

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<sup>30</sup> this is an approximate figure as average traffic speeds vary from location to location and route to route and will change during the strategy period. Up to date GIS based traffic times should be used to estimate how far a catchment will extend based on the times given.

<sup>31</sup> this is an approximate figure as average traffic speeds vary from location to location and route to route and will change during the strategy period. Up to date GIS based traffic times should be used to estimate how far a catchment will extend based on the times given.

## 13. CRICKET

### Summary

13.1 There are 7 cricket grounds with secure community use grass pitches<sup>32</sup> in the Borough, 3 with artificial pitches and 4 with practice nets. There is 1 unsecure community use ground with grass pitches, 5 with artificial pitches and 1 with outdoor practice nets. In total, there are 56 grass pitches and 3 artificial / non-turf on secure community sites and 8 grass and 5 artificial on unsecure sites. There are 3 grounds with no community use, all of which are on school sites.

13.2 The main spatial gaps where there are no grass pitches for community use are the Western, Northern, Wroughton and Chiseldon and South East sub areas. The sub-areas where there are no community use artificial pitches are Blunsdon and Highworth, Ridgeway, North East and South East.

13.3 In Swindon in the 2016 season there were 26 clubs, with a total of 45 teams of which 29 (64%) are adult club, 10 (22%) are Last Man Stands teams and 6 (13%) are junior teams. There are no ladies' or mixed teams. Most teams are based at clubs in the south west sub area (27) and the south east and Northern sub areas host no teams. 18 of the adult teams play in midweek leagues, with the remainder at weekends. The lack of junior and women's teams has been identified as an opportunity for growth in Swindon. This is a particular gap in the Borough and the ECB / WC is looking to address this through its current strategy. Growing junior play in the Borough will help to ensure succession into adult teams in the Borough in the medium and long term.



13.5 The majority of club sites / grounds have secure community use. The notable exceptions are the ground at Nationwide which hosts 5 adult teams and at Ridgeway School and Leisure Centre which hosts 1 adult team. Most grounds are in the ownership of the local authority or parish councils, with management mostly a mix of local authority, club, or a Trust. With the transition in play to transfer local authority pitch assets to parish councils during 2017, the future use of parish council pitches may be uncertain for some pitches. A recommendation of the assessment and strategy should be that security of future supply transferred away from local authority control and management should be sought as part of the transfer process, if it is not already being done. The implications of any changes to security of use will need to be understood and factored into planning for delivery during the strategy period.

<sup>32</sup> For the purposes of this strategy a cricket "pitch" is a "wicket" or the strip of playing surface on which the batting takes place and comprises two sets of stumps and bails (one at each end). A "square" is the area within which one or more pitches are laid and set out. The "ground" comprises the pitches (and therefore the square), "infield" and "outfield" where bowling and fielding takes place and ancillary facilities such as the pavilion.

- 13.6 Most pitches assessed using the ECB and Sport England approved visual assessment template were either of a standard quality, as was the case with artificial pitches.<sup>33</sup> One ground was good quality (the County Ground) and one was rated poor (The Elms Recreation Ground). The changing facilities at the Moredon Playing Fields were rated as poor. When set alongside pitches' carrying capacity and the amount of play they accommodate during a season, only one pitch, the artificial at Croft was considered as being overplayed (by 66 match equivalents). Of the secure pitches, 3 grass squares were being played at the level appropriate for their quality and number of pitches (Blunsden Recreation Ground, Sevenhampton Cricket Ground and Hoopersfield) with no overplay or spare capacity and 4 grass (Nalgo, The Elms Recreation Ground, Weir Field and the County Ground) and 2 artificial pitches (both at Moredon Playing Fields) were considered to be able to accommodate additional play. Recommendations for individual pitches (and others) will be made in the strategy and action plan.
- 13.7 From data provided by Borough Council officers, there is an 8 pitch square at the Croft Sports Centre, which is marked out but was not in use during 2016. The artificial pitch is still in use and it would be sensible to protect the square at this site for future potential use.
- 13.8 There is currently a supply (carrying capacity) of 300 match equivalents per season on grass squares (260 of which are on secure community use sites) and 240 match equivalents on artificial pitches (of which 120 are on secure use sites).
- 13.9 No quantifiable unmet or latent demand was identified by clubs for grass or artificial pitches. Figures for displaced demand, where clubs have expressed a desire to return to playing within the Borough, suggest that there is demand for up to 6 additional good quality grass pitches in the Borough (to accommodate displaced demand for Swindon CC and Haydon Wick CC (4 and 2 respectively). The clubs with aspirations for growth (which can be commonly subject to pitch availability and volunteers to manage and coach teams) were identified as Swindon CC, Motorola CC and the Last Man Stands league.
- 13.10 A number of pitches are used for more than one sport (4 secure and 6 unsecure sites). This can lead to conflict between uses / sports at the start and end of the cricket season (although is not always the case), and football clubs can sometimes take priority over cricket clubs (and vice-versa). Discussions with the WC and Borough Council officers has suggested that the shared use of sites is not often an issue of concern in the Borough with most clubs managing the shared use well. However 2 sites in particular have been suggested as having some issues with winter sports reducing significantly the quality of the outfield, at Hoopersfield and at Nationwide. With regard to the latter, Swindon Old Boys RFC have a desire to move to a permanent home ground used solely for rugby and if this can be achieved, the position with regard to the quality of the outfield could be resolved. However, with the site being unsecure community use, the cricket club may still have a desire to move to a secure site even if use of the ground were to be consolidated for cricket. Sharing of sites for winter and summer sports can also deny opportunities for winter sports to utilise the "home" ground outside of the season, for example for junior football tournaments. Where these issues cannot be overcome on-site, it suggests a role for 3G pitches or alternative grass pitches for football use during the cricket season within close proximity.

<sup>33</sup> Quality ratings for pitches are based on undertaking a site visit to record visual observations relating to indicators of quality. The set of questions answered and observations made are based on forms which have been agreed by NGBs and Sport England and which accompany the PPS guidance produced by Sport England. These are reproduced in Appendix 5 of the assessment report. When an initial score has been ascertained following site visits, these are moderated and "grounded" by other data received (such as club surveys received) and through discussion with NGBs and the local authority (to ensure that a representative quality rating is given which applies across a season). "Sign-off" of the final quality ratings is required by the process and the consultant prior to the data being used to identify the appropriate capacity (in terms of match equivalents) for each pitch.



- 13.11 Projecting potential demand forward arising from club aspirations to grow and growth in the population, suggests that up to 34 grass pitches (i.e. wickets / strips) could be required to accommodate the number of teams likely to be generated by 2021 and if clubs are to move away from or secure use at unsecure sites. 8 artificial pitches are needed across the Borough to cater for additional demand. However, figures should be treated as a “top end” figure and provision and actual supply of additional pitches will need to be monitored to understand realistic demand on the ground to ensure supply accurately reflects demand. The combination of provision between grass and artificial pitches will also need to be provided to fit with real demand<sup>34</sup>. The aggregate figures for the Borough and for individual sub areas in some cases can mask specific needs at individual sites and the recommendations below seek to ensure that these issues are addressed within the context of the overall strategy approach.
- 13.12 Additional capacity is not likely to be required in full on additional new grounds and some additional capacity required could be accommodated on existing grounds where there is the opportunity to set a new pitch at an existing square, but only where time slots are available to accommodate new teams playing matches on Saturdays and Sundays depending on the age group and format of the game played (and subject to the ability of the club or other body responsible for maintenance to maintain the additional pitch).
- 13.13 The ability to cater for this level of increase may be beyond the volunteer capacity of many clubs and this may constrain “on the ground” emergence of teams. Specific recommendations in terms of actions to accommodate this level of growth in the long term will be made in the strategy and action plan and it is likely that it will not simply require physical provision of the number of pitches indicated. Part of the solution to providing sufficient capacity for growing teams could be to seek to secure current unsecure sites used regularly by teams (if desirable), minimise risk to quality on shared sites and ensure that clubs with aspirations to grow have the playing and training capacity to do so, on second grounds if this is not achievable on their current home ground.
- 13.14 There are a number of sites and proposals in the pipeline which could provide some of the additional provision in the strategy period. While the Moredon proposals (Western sub area) will improve existing provision, it is not yet clear if they will add additional grass capacity for cricket or whether it will just be replacement of current artificial pitches on the site. However, the quality of the current artificial pitches will improve and so additional capacity is likely to result (to a capacity of 1 artificial pitch equivalent if quality doubles carrying capacity). While the site is in the Western area, additional capacity will reduce the overall total required for artificial pitches across the Borough as a whole. An initial proposal being promoted by Stratton Parish Council at Meadowcroft could see the introduction of a natural turf square on the site as well as other quality improvements to existing ancillary facilities. It is unclear how many pitches would be introduced on this site but there is a demand for at least 4 grass pitches and an artificial pitch (or practice nets) from displaced demand (Swindon CC 3rds and 4ths) which could be accommodated here. The possible option for cricket at the Polo Ground for 6 grass pitches and 1 artificial could help to provide additional capacity responding to demand across the Borough, although there are questions around whether this is the right sub area to locate such additional capacity, given where demand appears to be likely to arise in the strategy period (largely in



Nationwide Pavilion

<sup>34</sup> While projections have made assumptions about use, should for example, adult team demand come forward more for midweek than weekend matches, the balance between grass pitch and artificial pitch provision may need to change to reflect the preferred surface for midweek matches.



the north of the Borough rather than the south). The proposed 5 grass pitches at Tadpole Farm, however, would help to address some of the demand identified in the northern part of the Borough with the site in the Northern sub-area.

- 13.15 Levels of actual and short-term demand will need to be closely monitored to understand how real demand increases during the lifetime of the strategy, particularly after the initial strategy period. As projections of demand and need are based on assumptions around increasing growth and participation, which may or may not come to fruition, additional provision after the first few years of the strategy period should be responsive to demonstrable levels of demand. This is particularly the case within cricket for the growth in junior teams. The ECB's All Stars Cricket initiative may give rise to a greater number of junior teams during the strategy period than those projected in the assessment.

## Demand Summary

- 13.16 The demand summary for the strategy and the "direction of travel" it should take for cricket is as follows. However, it is important to note that figures for supply, demand and standards **should not be read or relied upon in isolation** outside of the context provided by the strategy recommendations.
- Taking current demand into account and comparing to supply, there are 72 match equivalents of unused capacity on secure use grass pitches (equating to 8 pitches of good quality) and -17 on secure use artificial pitches (meaning that artificial pitch capacity is currently overused by one third of a good quality pitch). On unsecure community use pitches, the balance is 0 on grass pitches and 114 on artificial pitches (the latter being the equivalent of 1.9 pitches).
  - Demand is projected to increase by 2021. Taking into account existing unused capacity, a desire to move use away from unsecure to secure sites and the demand for additional new capacity, this translates into an equivalent need for additional capacity of 34 good quality grass pitches (i.e. wickets / strips) and 8 good quality artificial pitches, which could be provided through a combination of: improving the quality of standard and poor quality pitches; securing community use on current unsecure sites; new additional pitches at existing grounds where capacity would be practically usable; and / or, new additional grounds in sub-areas / locations where the demand is likely to occur.
  - Provision of new additional pitches will need to respond to demonstrable demand "on the ground". A "plan, deliver, monitor, manage" approach should therefore be taken to the provision of additional capacity. The combination of provision between grass and artificial pitches will also need to be provided to fit with real demand (for example, to match increased participation in the junior and women's game should it materialise as planned by the ECB / WC).

## Strategy Recommendations

- 13.17 The above assessment conclusions suggest that the approach to the PPS strategy in Swindon should be as follows:

### BALANCE AND CERTAINTY OF SUPPLY TO ACCOMMODATE DEMAND

- C1 Consider undertaking additional work to better understand the likely demand to arise beyond the strategy period to 2021, particularly in relation to growth arising from housing development and the impact of current ECB initiatives to increase participation.

**PROTECT**

- C2 Protect existing pitches used from loss. This also extends to where a club folds, as additional capacity on a lost ground and previously used for cricket may be required by other clubs and this should be explored in relation to potential demand where this scenario happens. Such sites also need protection for future supply as the anticipate growth in junior age groups moves through into the adult game towards the end of the strategy period.
- C3 Understand the security of future supply transferred away from local authority control and management to parish councils. Seek to establish security of tenure for grounds / pitches as part of the transfer process, if it is not already being done. The implications of any changes to security of use will need to be understood and factored into planning for delivery during the strategy period.

**ENHANCE**

- C4 Gain the secure use of pitches which currently have unsecure use (such as Nationwide and Ridgeway school) through clubs and relevant authorities working with pitch providers / owners to seek a long-term secure use agreement to provide certainty of supply and reduce the need for additional new pitches.
- C5 Support the relocation of winter sport teams to other home grounds where desired in locations where the sharing of a site is resulting in reduced or poor quality of the outfield (and therefore higher maintenance costs) to ensure a good quality playing surface for cricket and / or where season cross-over issues are not being satisfactorily resolved. Any winter sports teams which move as a result should be provided with an equal or better quality provision to justify a move.
- C6 Improve the current use of existing pitches where spare capacity notionally exists, where physically and logistically possible.
- C7 Support projected growth in the women's and junior games by ensuring that the quality of pitches and ancillary facilities meets their needs (i.e. that they are fit for purpose) where junior and women's teams play and train.
- C8 Support the training needs of clubs by providing in-situ practice nets where necessary to improve the capacity for training which can help retain the quality of pitches on the main square.
- C9 Support the continual improvement of facilities to a good quality to help attract and retain players. While this applies to facilities of a standard quality, those with a rating of poor should be prioritised and within this context support should be given to the proposed improvements at Moredon Playing Fields. Consider improvements to facilities (and the pitch) at the NALGO site within the context of any proposed actions for football.
- C10 Support the continual improvement of pitches. While this applies to pitches of a standard quality, the focus should be on improving pitches of poor quality such as The Elms Recreation Ground where there remains a demand for its use. Pitches and grounds which suffer from flooding or standing surface water should have improved drainage measures installed (where viable / subject to funding and a business plan being in place to ensure maintenance costs are catered for in the long-term).
- C11 Encourage clubs to sign legal leases with pitch / ground owners (long-term if possible / feasible) where a club makes the ground their "home" ground in addition to securing formal community use in order to give additional certainty.
- C12 For development proposals outside of Swindon's New Communities and as detailed in the Council's adopted CIL Regulation 123 Infrastructure list, CIL monies can be secured towards the upgrade and management of existing strategic outdoor sports and recreation provision and creation of new provision and associated facilities (this includes playing pitches as identified in the PPS).

**PROVIDE**

- C13 Consider providing additional capacity on existing grounds where feasible and spare capacity equates to real availability on the days demand requires.

- C14 Where the loss of an existing pitch is unavoidable, provide replacement pitches to good quality standard in a location appropriate to demand to mitigate loss.
- C15 Ensure that the provision of any new pitches and facilities meet the most up-to-date quality design standards and dimensions supported by the NGB and Sport England.
- C16 Ensure that any new facilities and other associated pitch infrastructure are provided to meet the most up-to-date Building Regulations, including, but not restricted to, those relating to accessibility.
- C17 Ensure that any new pitches and facilities have a sustainable long-term business and financial management plan in place to ensure long-term viability.
- C18 Ensure that any proposed new grounds have certainty of users (clubs / teams) committed to the ground and that commitments to the management and maintenance of the ground are in place prior to delivery.
- C19 Ensure that all new pitches and facilities have a secure community use agreement in place for the long-term (preferably in perpetuity) and that the appropriate body is identified to monitor and enforce such agreements.
- C20 Provide additional capacity to accommodate teams currently displaced from the Borough and wishing to return to a permanent home ground in Swindon.
- C21 Enable the supply of pitches to accommodate existing and future demand to a total equivalent of 34 good quality grass pitches and 8 artificial pitches across the Borough broadly across the following phases during the strategy period.

Grass pitches	2016-2019	2020-2021	Total 2016-2021
Blunsdon and Highworth	0	11	11
Northern	2*	4	6*
North East	0	0	0
Western	0	0	0
South East	0	0	0
South West	6^	6^	12^
Ridgeway	0	2	2
Wroughton and Chiseldon	2**	1**	**3
<b>Borough Total</b>	<b>10</b>	<b>24</b>	<b>34</b>

Non-turf pitches	2016-2019	2020-2021	Total 2016-2021
Blunsdon and Highworth	0	2	2
Northern	1	0	1
North East	1	0	1
Western	0	0	0
South East	0	0	0
South West	1^^	1	2^^
Ridgeway	0	1	1
Wroughton and Chiseldon	1	0	1
<b>Borough Total</b>	<b>4</b>	<b>4</b>	<b>8</b>

Notes. Figures may not sum due to rounding. ^ These figures reduce to 2, 2 and 4 respectively should the insecure use at Nationwide not be considered appropriate to move to a secure tenure site. The overall Borough total would also reduce in 2016-19 and 2020-2021 to 6 and 20 respectively and over the strategy period as a whole to 26. Figures in the south west sub area could be reduced further should the grass pitches (8) at the Croft Sports Centre be brought back into use. If they were this would reduce the identified demand above by 8 pitches to 4 in total in the sub area to be delivered probably in the 2020-2021 period. Should both the Nationwide pitches and Croft pitches feature and be discounted from additional demand, this would leave a balance of -4, making the Borough total demand 2 in 2016-2019, 16 in 2021-2021 and 18 overall. \* displaced demand has been apportioned to this sub area for Haydon Wick CC (+2 grass pitches and + 0.5 artificial). This is not to say that provision may not appropriate in an alternative sub area. ^^ These figures reduce to 0 and 1 respectively should the insecure use at

Nationwide not be considered appropriate to move to a secure tenure site. The overall Borough total would also reduce in 2016-19 to 3 and over the strategy period as a whole to 7. \*\* displaced demand has been apportioned to this sub area for Swindon CC 3rds and 4ths who currently play outside the Borough but would like to play within the Borough (+4 grass pitches and + 0.3 artificial). This is not to say that provision may not be appropriate in an alternative sub area. If this demand was to be reapportioned elsewhere, figures would have to be adjusted accordingly (resulting in no net additional demand for grass in these sub areas and adding the demand to other sub areas to which pitches / the team would be located).

This total amount of supply should come from a variety of sources, i.e. the projected demand is unlikely to need to be delivered solely through additional, new, grass and artificial (non-turf) pitches. Increased capacity to this amount will come from a combination of:

- i) Increasing capacity of standard rated quality pitches where improvements will achieve real time availability of pitch time;
- ii) Securing formal community use agreements for play taking place on unsecure sites;
- iii) Determining whether any unsecure sites are actually secure in nature where linked to a private provider and for principal use by an employer based sports or social club (meaning that the number of pitches at the site can be discounted from the total demand identified);
- iv) Providing additional capacity on sites where grass pitches are not currently in use but where there have been pitches before (such as at the Croft Sports Centre, for example, where 8 grass pitches could feature in future supply alongside the artificial pitch still in use); and,
- v) Provision of new additional grass and / or artificial (non-turf) pitches on existing grounds where feasible to do so;
- vi) Provision of new additional grass and / or artificial (non-turf) pitches at new grounds in appropriate locations such as Meadowcroft (North-east sub area), Tadpole Farm (Northern), Moredon (Western) and / or the Polo Ground (Wroughton & Chiseldon) (subject to no conflict with proposals for other sports to use these grounds / pitches and confirmation of potential *additional* capacity which could be made available).

Provision of new additional pitches will need to respond to demonstrable demand “on the ground”. This is particularly important in the latter part of the strategy period to ensure that projected demand has actually come forward. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity. The combination of provision between grass and artificial pitches will also need to be provided to fit with real demand<sup>35</sup>.

- C22 The provision of additional pitches and / or facilities should be closely co-ordinated between NGB, club, Sport England, the local authority, and the land owner (where not one of the aforementioned bodies).
- C23 Where development proposals outside of Swindon’s New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.
- C24 Where development proposals within Swindon’s New Communities (identified in the Local Plan 2026) generate a need / demand for strategic outdoor sports (including playing pitches), such provision should be provided on-site in accord with the recommendations of the PPS and best practice guidance.

## Advisory Standards

- 13.18 Advisory standards are set out below to provide guidance to those planning for future provision of pitches:

- With regard to provision of new, additional and / or improved facilities and pitches, the following **guidelines** are provided:

<sup>35</sup> While projections have made assumptions about use, should for example, adult team demand come forward more for midweek than weekend matches, the balance between grass pitch and artificial pitch provision may need to change to reflect the preferred surface for midweek matches.

- Quality: Pitches and facilities should conform to the most up-to-date NGB guidance. New grass pitches should be provided to good quality able to accommodate 9 match equivalent sessions per season with an appropriate maintenance regime to maintain this quality. New artificial pitches should be provided to good quality able to accommodate 60 match equivalent sessions per season with an appropriate maintenance regime to maintain this quality.
- Accessibility: Pitches and facilities should conform to the most up-to-date Building Regulations and NGB guidance; be easily and safely accessible by cycle, foot and public transport; have secure cycle storage / parking; and, have sufficient car parking spaces to accommodate demand for the use of the facility and any associated shared uses and comply with the most up-to-date Highways Authority, Local Planning Authority and Sport England requirements / guidance. Ancillary facilities should be secure. Clubs and teams should be able to access a grass and / or artificial pitch (subject the teams' needs for the appropriate surface) at or close to their home ground to ensure that the quality of the pitches is maintained at least to a "standard" quality and preferably to a "good" quality. However, provision of pitches should not be made in locations where the cost of ensuring quality across the ground, viability in the long-term (of the pitch or club) or security of a facility is in doubt.
- Quantity: The Sport England Playing Pitch Calculator should be used by the local authority to generate baseline figures for pitch requirements relating to new development sites (usually at the pre-application stage of the planning process). Such figures must be used only as a starting point and not used in isolation without reference to area requirements for need and demand set out in the assessment report and strategy.

## 14. RUGBY UNION

### Summary

14.1 Rugby has a tradition of playing on grass pitches which tend to be subjected to significant wear and tear and therefore have additional pressure to maintain quality to a 'standard' condition. More recently, technology has moved sufficiently forward to enable play to take place on artificial grass surfaces where adequately sprung (where a pitch meets the World Cup 22 standard<sup>36</sup>) and such surfaces can be shared with football. Club rugby tends to be played on pitches dedicated to a club as a home ground and the supply of pitches at schools tends only to feature in terms of club use if a club's pitches are overplayed or waterlogged, therefore requiring additional capacity to train. Clubs also prefer to retain play (matches and training) at their home ground to retain any spend in the club's social facilities.

14.2 In Swindon in the 2015/16 season there were 3 affiliated clubs with a total of 29 teams of which 10 (35%) are adult teams and 12 (41%) are mini-midi teams (U7 – U12). There are only 6 rugby union pitches with security of tenure (4 at Supermarine RFC and 2 at Swindon RFC) and 8 on unsecure sites (6 of which are on educational establishment sites). There are 3 pitches with no community access. The bulk of match play and training is on secure sites, although Swindon Old Boys rely solely on unsecure sites for both matches and training between several sites (Isambard School, Nationwide and Ridgeway School). Swindon RFC is using parish council playing fields adjacent to the club for mini rugby due to the lack of capacity to accommodate this play on their 2 pitches.



14.3 Spatially, the clubs with secure community use pitches (Supermarine RFC and Swindon RFC) cover the north, east and central parts of the Borough. As referenced above, Swindon Old Boys RFC use unsecure community use pitches in the southern part of the Borough (i.e. they do not currently have a ground of their own). It is likely that players in the western part of the Borough could form exported demand to Royal Wootton Bassett RFC.

14.4 Taking into account the pitches' quality<sup>37</sup> (based on an assessment of drainage and maintenance regimes), carrying capacity in relation to their quality and how much play (both matches and training)

<sup>36</sup> World Cup 22 relates to the standard required of artificial turf for rugby. Pitches need to be tested every 3 years to remain World Cup 22 compliant. See

[http://playerwelfare.worldrugby.org/content/getfile.php?h=363a53bd2243e43b6a56a54cad04b996&p=pdfs/World\\_Rugby\\_Regulation\\_2\\_2\\_EN.pdf](http://playerwelfare.worldrugby.org/content/getfile.php?h=363a53bd2243e43b6a56a54cad04b996&p=pdfs/World_Rugby_Regulation_2_2_EN.pdf) for the full regulation.

<sup>37</sup> Quality ratings for pitches are based on undertaking a site visit to record visual observations relating to indicators of quality. The set of questions answered and observations made are based on forms which have been agreed by NGBs and Sport England and which accompany the PPS guidance produced by Sport England. These are reproduced in Appendix 5 of the assessment report. When an initial



is taking place, all secure use club pitches are being over-used. At Supermarine RFC, this amounts to almost 5.7 match equivalents of over-play per week (which equates to around 2 pitches of need) and at Swindon RFC just over 3 match equivalents of over-play (which equates to around 1 additional pitch). There is a relatively high number of cancellations on Supermarine RFC and Swindon RFC pitches due to wet weather and the inability of current drainage systems to cope.

- 14.5 All unsecure pitches have some notional capacity to increase use subject to the provider's agreement. However, established clubs are likely to prefer to use pitches at or close to their club base and so it is unlikely that this notional capacity will be used, particularly for training where use requires floodlighting with most training for youth, colts and adult teams taking place on weekday evenings. This lack of capacity is constraining the clubs' ambitions to grow. While the pitches that Swindon Old Boys RFC use have capacity that could be used, as noted above, all pitches they play on are unsecure and a priority for the club is to secure a home ground of their own and have security of use.
- 14.6 Unmet demand identified by Swindon RFC and Supermarine RFC suggest that an equivalent of around 1 match equivalent at each club would satisfy this demand (around one third of a senior pitch), which for both clubs is in response to demand for mini / midi teams. For logistical reasons, the area needed to accommodate this unmet demand may be larger (up to 1 senior pitch) depending on which age groups train and play at which times on a Sunday.
- 14.7 It is clear that the existing stock and supply of rugby pitches available to club teams should be protected. Improving capacity at club pitches might be possible on some pitches (but not all) by making improvements to drainage and maintenance regimes (where this is possible), to relieve pressure on overplayed pitches by making other pitches more accessible (for example by introducing floodlighting where the additional play will not compromise quality) and securing additional pitch capacity if possible.
- 14.8 Projecting demand forward as a result of population change and growth aspirations of clubs, and adding in the current under-supply of capacity (where future provision is made purely on grass pitches) and a desire to move use of unsecure sites that clubs use to secure sites, the pitch requirement (for pitches of M1/D3 standard) by 2021 and based on secure sites could equate to an equivalent capacity of up to 14 full size pitches in the Borough assuming that all aspirational demand can be met, which may be more challenging in reality and beyond the scope of the provision of playing pitches and ancillary facilities. The demand equates to 7 pitch equivalents in response to demand at Supermarine, 2 at Swindon Old Boys and 5 at Swindon RFC. The figures do not take into account improvements to the quality and capacity of existing pitches which could increase the amount of play that pitches can sustain and reduce the need for additional new pitches. Neither do they take into account the capacity which could be introduced by new pitches in the pipeline, namely, a third pitch at Swindon RFC and up to 2 additional pitches at the Polo Ground in the Wroughton and Chiseldon sub area which could provide secure pitch capacity



score has been ascertained following site visits, these are moderated and "grounded" by other data received (such as club surveys received) and through discussion with NGBs and the local authority (to ensure that a representative quality rating is given which applies across a season). "Sign-off" of the final quality ratings is required by the process and the consultant prior to the data being used to identify the appropriate capacity (in terms of match equivalents) for each pitch. For rugby pitches, a maintenance and drainage score is also the result of this process.



for Swindon Old Boys RFC and help to remove some use from the pitches at Supermarine (for example moving American Football and / or Rugby League teams to the new site).

- 14.9 If the sites in the pipeline are taken into account, this would reduce the demand to 11 or fewer pitch equivalents across the Borough, fulfil the demand in Wroughton and Chiseldon, reduce the demand in Blunsdon and Highworth at Supermarine and reduce the demand in the north east at Swindon RFC. Improvements to club pitches would reduce the figure further and demand generated from aspirational demand in the 2020-2021 period should be established “on the ground” before additional pitches in that period are introduced.
- 14.10 The figures represent a “top end” figure for supply which would need to be carefully monitored to understand the realistic need for this number of pitches. As projections of demand and need are based on assumptions around increasing growth and participation, which may or may not come to fruition, additional provision should be responsive to demonstrable levels of demand prior to going ahead. The figures do not take account of a role that a 3G surface could play in adding significant capacity.
- 14.11 It is clear that additional sites may need to be identified to accommodate demand to 2021. The provision of additional capacity will help to future proof and provide supply for club growth to 2021 and beyond. Any new pitches should be close to club grounds if possible to maintain and enhance the financial viability and security of the clubs and minimise need for additional changing or clubhouse facilities.
- 
- 14.12 Disused other sport pitches could help to provide additional supply if in the right location for use with the right facilities and secured community use and options will be explored as the strategy options are developed. However, a first step should be to maximise the capacity of the current pitches used by clubs with secure sites and a number of options for these sites are considered below.

## Demand Summary

- 14.13 The demand summary for the strategy and the “direction of travel” it should take for rugby union provision is as follows. However, it is important to note that figures **should not be read or relied upon in isolation** outside of the context provided by the strategy recommendations.
- Taking current demand into account and comparing to supply, pitches with secure use at Supermarine RFC and Swindon RFC are overplayed by a total of -8.8 match equivalent sessions per week (-5.7 at Supermarine and -3.1 at Swindon RFC). Unsecure community use pitches have unused capacity of 10.7 match equivalents per week. Despite this unused capacity, it cannot be relied upon for club use given that it has no long-term security of use. Rugby clubs are also unlikely to use spare capacity away from their home ground.
  - Pitches at the Supermarine site predominantly used for rugby union are also shared with use by the football, American Football and Rugby League clubs, contributing to their over-use.

- Swindon Old Boys RFC split their demand between 2 or 3 unsecure use sites for matches and training and a long-term solution to providing a home ground with secure community use should be found.
- Demand is projected to increase by 2021. Taking into account overplay at existing sites, a desire to move use away from unsecure to secure sites and the demand for additional new capacity, this translates into an equivalent need for additional capacity of 14 good quality full size grass pitches, which could be provided through a combination of: improving the quality and / or maintenance regimes of existing pitches; providing floodlighting to increase evening training capacity; securing community use on current unsecure sites; new additional pitches at existing club grounds where feasible; a rugby compliant 3G pitch (World Cup 22 standard<sup>38</sup>); and / or, a longer-term (beyond the strategy period) rugby hub / cluster site.
- Provision of new additional pitches will need to respond to demonstrable demand “on the ground”. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity.

## Strategy Recommendations

14.14 The above assessment conclusions suggest that the approach to the PPS strategy for **rugby** in the **Borough** should be as follows:

### BALANCE AND CERTAINTY OF SUPPLY TO ACCOMMODATE DEMAND

R1 Notwithstanding the proposed changes to improve quality and capacity at the Supermarine site for rugby union, the measures may not increase capacity for all projected demand to 2021. Therefore, additional work will be needed to: explore the potential for additional grass pitch capacity on or adjacent to the current site; consider how best to provide for additional capacity beyond the 2021 strategy period, particularly in light of proposed growth at the New Eastern Villages (NEV), for example, through provision additional grass pitches and / or a 3G rugby turf pitch or provision of additional pitch capacity on adjacent land.

### PROTECT

R2 Protect the existing supply of pitches identified in the assessment.

### ENHANCE

R3 Enhance capacity on existing pitches by improving quality through improved drainage (where viable / subject to funding and a business plan being in place to ensure maintenance costs are catered for in the long-term), by introducing floodlights where necessary and feasible and by improving maintenance to ensure that the better quality is sustained in the long-term. For example:

- i) support the improvement of the pitches at Swindon RFC which have been rated as poor through the improvement of drainage;
- ii) support improved drainage of pitches at Supermarine RFC which have seen a significant level of cancellations during the season due to wet weather;
- iii) seek the resolution of shared use of rugby pitches at Supermarine RFC to reduce over-use (consolidating the site for rugby union use and providing alternative pitches as home grounds for rugby league (using pitch 4), American Football (using pitch 3) and football (currently occasionally using pitch 1);

<sup>38</sup> World Cup 22 relates to the standard required of artificial turf for rugby. Pitches need to be tested every 3 years to remain World Cup 22 compliant. See [http://playerwelfare.worldrugby.org/content/getfile.php?h=363a53bd2243e43b6a56a54cad04b996&p=pdfs/World\\_Rugby\\_Regulation\\_2\\_2\\_EN.pdf](http://playerwelfare.worldrugby.org/content/getfile.php?h=363a53bd2243e43b6a56a54cad04b996&p=pdfs/World_Rugby_Regulation_2_2_EN.pdf) for the full regulation.

- iv) seek to introduce floodlighting on pitch 3 at Supermarine RFC to increase capacity.
- R4 Enhance the quality of changing and other ancillary facilities where necessary and possible to help ensure the quality of the experience for the sport is enhanced. For example, support the improvement of the changing facilities at Swindon RFC which have been rated as poor.
- R5 Gain the secure use of pitches which currently have unsecure use where used by clubs through clubs themselves and relevant authorities working with pitch providers / owners to seek a short-term secure use agreement to provide certainty of supply until additional secure provision can be made.
- R6 Consider the introduction of open fencing and signposting to deter dog walking on pitches in public spaces, for example at Swindon RFC pitches.
- R7 Seek to enhance capacity and quality by enabling the consolidation of rugby at home grounds, considering the resettling of other sports sharing use of rugby pitches where feasible and viable and where in the interests of both clubs using the pitches (for example, to improve quality and capacity for both uses).
- R8 Improve the current use of existing pitches, where physically and logistically possible, by considering flexibility of when matches take place.

## PROVIDE

- R9 Where the loss of an existing pitch is unavoidable, provide replacement pitches to good quality standard in a location appropriate to demand to mitigate loss.
- R10 Ensure that the provision of any new pitches and facilities meet the most up-to-date quality design standards and dimensions supported by the NGB and Sport England.
- R11 Ensure that any new facilities and other associated pitch infrastructure are provided to meet the most up-to-date Building Regulations, including, but not restricted to, those relating to accessibility.
- R12 Ensure that any new pitches and facilities have a sustainable long-term business and financial management plan in place to ensure long-term viability.
- R13 Ensure that all new pitches and facilities have a secure community use agreement in place for the long-term (preferably in perpetuity) and that the appropriate body is identified to monitor and enforce such agreements.
- R14 Seek to provide additional capacity, where needed, at (or, if this is not possible, within close proximity to) existing club home grounds as a preference over sites far from home grounds, where physical, ownership and planning constraints do not prevent such change. This will help to ensure the long-term financial stability of clubs given the social tradition and culture of the sport. Developer contributions sought for pitch provision / improvements for rugby should (for example, from the Community Infrastructure Levy or section 106 planning obligations) where feasible within planning regulations be considered first as contributions towards existing rugby club sites given the nature of how and where rugby is played (as a club on-site based sport). This could help to avoid contributions being sought or spent inappropriately on sites which may be remote from existing club home grounds and infrastructure and help to ensure any new provision or additional capacity provided through development is used (and in the most effective way). For development proposals outside of Swindon's New Communities and as detailed in the Council's adopted CIL Regulation 123 Infrastructure list, CIL monies can be secured towards the upgrade and management of existing strategic outdoor sports and recreation provision and creation of new provision and associated facilities (this includes playing pitches as identified in the PPS).
- R15 Enable the supply of pitches to accommodate existing and future demand to a total equivalent capacity of 14 good quality full size pitches across the Borough broadly across the following phases during the strategy period.

	2016-2019	2020-2022	Total 2016-2021
Blunsdon and Highworth *	3	4	7
Northern	0	0	0
North East **	1	4	5
Western	0	0	0
South East	0	0	0
South West	0	0	0
Ridgeway	0	0	0
Wroughton and Chiseldon ***	2	0	2
<b>Borough Total</b>	<b>7</b>	<b>8</b>	<b>14</b>

Notes: \* relates to demand at Supermarine RFC. \*\* relates to demand at Swindon RFC.

\*\*\* relates to demand at Swindon Old Boys RFC

This total amount of supply should come from a variety of sources, i.e. the projected demand is unlikely to need to be delivered solely through additional, new, grass pitches. Increased capacity to this amount will come from a combination of:

- i) Increasing reliability of pitches through improved drainage and maintenance (see **Enhance**) (where viable / subject to funding and a business plan being in place to ensure maintenance costs are catered for in the long-term);
- ii) Increasing training time available by floodlighting pitches where appropriate where the maintenance programme is enhanced to maintain quality accordingly (see **Enhance**);
- iii) Considering reconfiguration of pitches on multi-pitch sites where this can introduce an additional pitch;
- iv) Provision of new additional pitches in appropriate locations such as, but not limited to:
  - a) bringing into use the third pitch at Swindon RFC;
  - b) the Polo Ground - the Polo Ground could provide a permanent home ground for Swindon Old Boys RFC close to current home pitches in southern part of the Borough. Spatially, this would also mean that there is provision for rugby and good access for residents to clubs based rugby in the north (Supermarine RFC), the central part of Swindon (Swindon RFC and the south (Old Boys RFC). The Ground could also become home to American football teams and the St George's Rugby League club, relieving Supermarine pitches from some over use.
  - c) Should the Polo Ground not be feasible for the above proposed use, consider alternatives to help resolve over-use at Supermarine and provide a more permanent home for Swindon Old Boys RFC (and American Football and Rugby League teams). Options could include A) use of Mannington Recreation Ground or B) use of Buckhurst Fields (adjacent to Shrewsbury Road pitches) as detailed below:
    - A) reconfiguration of pitches at Mannington Recreation Ground to deliver two to three full size pitches to accommodate these sports and a small training pitch, and replacing lost football capacity at other sites. The site could also accommodate other pitch sports where compatible with these sports' seasons, such as softball. Drainage improvements recommended in the Football assessment would still be required and changing rooms improved and possibly relocated.
    - B) provision as for option A above, although feasibility work would need to be undertaken to determine whether the site can accommodate requirements.
- v) Securing use of unsecure pitch sites, such as, but not limited to, the playing field adjacent to and used by Swindon RFC for mini rugby. Consider open fencing to protect pitch quality and help avoid dog fouling;
- vi) Considering a contribution to accommodating demand through development of a shared use 3G with football, if practical and viable;
- vii) Considering the provision of a rugby compliant (World Cup 22 standard<sup>39</sup>) 3G surface for rugby to help address likely long-term demand arising from Swindon's significant growth in population beyond the strategy period, either on an existing club site, redeveloped site such as Moredon Recreation Ground or at a new rugby hub / cluster site.

<sup>39</sup> World Cup 22 relates to the standard required of artificial turf for rugby. Pitches need to be tested every 3 years to remain World Cup 22 compliant. See

[http://playerwelfare.worldrugby.org/content/getfile.php?h=363a53bd2243e43b6a56a54cad04b996&p=pdfs/World\\_Rugby\\_Regulation\\_2\\_2\\_EN.pdf](http://playerwelfare.worldrugby.org/content/getfile.php?h=363a53bd2243e43b6a56a54cad04b996&p=pdfs/World_Rugby_Regulation_2_2_EN.pdf) for the full regulation.

Provision of new additional pitches will need to respond to demonstrable demand “on the ground”. This is particularly important in the latter part of the strategy period to ensure that projected demand has actually come forward. A “plan, deliver, monitor, manage” approach should therefore be taken to the provision of additional capacity.

- R16 The provision of additional pitches and / or facilities should be closely co-ordinated between the club, RFU, Sport England, the local authority, and the land owner (where not one of the aforementioned bodies).

## Advisory Standards

- 14.5 Advisory standards are set out below to provide guidance to those planning for future provision of pitches:

- With regard to provision of new, additional and / or improved facilities and pitches, the following **advisory guidelines** are provided:
  - Quality: Pitches and facilities should conform to the most up-to-date NGB guidance. New pitches should be provided to good quality able to accommodate 3.5 match equivalent sessions per week with an appropriate maintenance regime to maintain this quality.
  - Accessibility: Pitches and facilities should conform to the most up-to-date Building Regulations and NGB guidance; be easily and safely accessible by cycle, foot and public transport; have secure cycle storage / parking; and, have sufficient car parking spaces to accommodate demand for the use of the facility and any associated shared uses and comply with the most up-to-date Highways Authority, Local Planning Authority and Sport England requirements / guidance. Ancillary facilities should be secure. Clubs and teams should be able to access a grass pitch for matches or training at or close to the home ground, subject to the balance of provision with rugby compliant 3G pitches. However, provision of grass pitches should not be made in locations where the cost of ensuring quality, viability in the long-term (of the pitch or club) or security of a facility is in doubt.
  - Quantity: The Sport England Playing Pitch Calculator should be used by the local authority to generate baseline figures for pitch requirements relating to new development sites (usually at the pre-application stage of the planning process). Such figures must be used only as a starting point and not used in isolation without reference to area requirements for need and demand set out in the assessment report and strategy.

## 15. OTHER PITCH SPORTS

- 15.1 In addition to undertaking a fully compliant PPS guidance assessment for the main pitch sports, we were asked by the Borough Council to undertake a short assessment of other pitch sports: rugby league, softball and American football. The process for minor sports in Swindon has been similar to that undertaken for the major sports. Clubs have been sent surveys or key questions about their needs and demands and pitches have been assessed for quality. Where obtained, a broad indication of growth and potential future growth in demand by 2021 has also been established.

### Rugby League

- 15.2 While rugby league is a well-established major sport nationally, this code of rugby is a major sport more-so in areas outside of the south of England. In Swindon, while there is a club present, it has only two teams, one of which plays competitively.
- 15.3 There are no pitches dedicated (as such) purely to rugby league. The Swindon St George rugby league club currently use a grass pitch (pitch 4) at the Supermarine RFC (Union) / Sports Club ground. The club plays in the South West Rugby League<sup>40</sup> with matches usually being played on Saturdays and the season runs from May to August, outside of the rugby union season. Training usually takes place on a Wednesday evening during the season. This means that the pitch used is not used at the same time that it is used for rugby union. Despite this, the pitch used does not get a rest from play during the year and this adds to the impact on the pitch, which is over-used when considering play by rugby union and rugby league teams during the course of the year.
- 15.4 The club has not identified any unmet, latent or displaced demand which should be attributed to the club with regard to rugby league which should be addressed by increasing supply in the future. However, from calculating potential growth from the increase in population in the Borough to 2021 (team generation rates, details of which are appended to the assessment report), figures suggest that demand could increase by half (0.5) of a team by 2021. Given the current levels of play, this seems an appropriate figure to work to in order to understand additional pressure on capacity which may occur in the next few years.
- 15.5 There may be opportunities to establish new rugby pitches at a redeveloped Polo Ground site in the Wroughton and Chiseldon sub area (within the Swindon urban area). These could provide a home ground for Swindon Old Boys RFC (rugby union club) but also perhaps provide sufficient capacity for rugby league (and perhaps American football) should there be a desire for Swindon St Georges to have a permanent home which helps Supermarine RFC increase capacity and quality on the Sports Club site. An alternative option would be to explore use of Mannington Recreation Ground or Buckhurst Playing Fields.

### American Football

- 15.6 There are no pitches dedicated (as such) purely to American football. Borough Council officers received a survey response from the American football club in Swindon, Swindon Storm. The club has been established for 6 years and plays at a variety of venues, not confined to the Borough, with all BACL games played at Filton College, Bristol and NL games played at Supermarine RFC (pitch 3). The use of this latter ground within the Borough was the focus of the assessment.
- 15.7 The club has 6 teams, all mixed sex: Junior Varsity (13-16), Varsity (15-18) both playing in the Bristol Academy Community League; Youth (14-17), Seniors (18+) both playing in the British American Football National League; a second Junior Varsity team playing as an after school club in Marlborough (outside the Borough); and, a mixed flag non-contact team. The number of teams has been increasing in recent year, for example, two additional teams were formed this season. The club has aspirations

<sup>40</sup> [http://www.rugby-league.com/leagues\\_competitions/south\\_west\\_rugby\\_league](http://www.rugby-league.com/leagues_competitions/south_west_rugby_league)



- to see future team growth of around 6 new junior teams in the Thames Valley league and the club has links with Oxford Saints to help establish the teams.
- 15.8 The American football season runs from April to July with playoffs in August and September. There therefore can be a little cross-over with the rugby union season. This means that the pitch used (pitch 3) is not used at the same time that it is used for rugby union. Despite this, the pitch used does not get a rest from play during the year and this adds to the impact on the pitch, which is over-used when considering play by rugby union and American football teams during the course of the year.
- 15.9 The club has indicated that the pitches are unavailable during the winter from September to May, with waterlogging also being a key issue. This supports other comments and analysis above which suggest that the pitch used is overplayed and subject to cancellations due to waterlogging during winter months. The club moves onto the pitch at Supermarine when it becomes available between May and August. Training takes place for seniors on the artificial pitch at Kingsdown School, between January and May. Off-season training is held at Battleground gym at Cheney Manor between October and December and youth teams train at Buckhurst playing fields every Saturday morning.
- 15.10 The club has not identified any unmet, latent or displaced demand which should be attributed to the club which should be addressed by increasing supply in the future. However, from calculating potential growth from the increase in population in the Borough to 2021 (team generation rates, details of which are appended to the assessment report), figures suggest that demand could increase by one fifth (0.2) of a team in total by 2021 (0.1 of a team for adult and youth age groups based on one of each age group team playing within the Borough).
- 15.11 There may be opportunities to establish new rugby pitches at a redeveloped Polo Ground site in the Wroughton and Chiseldon sub area (within the Swindon urban area). These could provide a new home ground for Swindon Old Boys RFC (rugby union club) but also perhaps provide sufficient capacity for American football (and perhaps rugby league) should there be a desire for Swindon Storm to have a permanent home (which their survey response seems to suggest would be an aim) which helps Supermarine RFC increase capacity and quality on the Sports Club site for rugby union. An alternative option would be to explore use of Mannington Recreation Ground or Buckhurst Playing Fields.

## Softball

- 15.12 Borough Council officers received a survey response from the Swindon Softball League. Last season (assumed to be summer 2016), 5 mixed teams played. Players are predominantly adults, with a few youth players. The league is hoping to add a 6<sup>th</sup> team in the coming season. The league has grown from 4 to 5 teams in the last 3 years. The league has suggested that it hopes to grow by 2 or 3 more teams during the strategy period to 2021 and for the league to double in size in the future / longer term. However, it has stated that growth will be dependent on facilities being available and “take-up”.
- 15.13 The league currently uses Chiseldon recreation ground to play and mark out two pitches on the site. From the wider assessment, the site is classed as one with secure community use. The league is happy using this site although there is only sufficient space for 2 pitches to be marked out.
- 15.14 The league plays during the summer months on Thursday evenings between 6pm and 8pm and trains on Monday evenings. It remarked that some other clubs outside of the Borough have the benefit of a marked out pitch with a softball diamond. Chiseldon recreation ground is a public open space and as such the club has to manage public safety which it does successfully. If the league was to grow, it would need to identify another site, assuming that it wished to play all matches on the same evening and at the same venue. However, the league has indicated that it could play on two evenings at the same venue.
- 15.15 The quality of the pitch is unlikely to suffer from its use in the summer and we have not been made of any quality issues affecting the softball league or affecting other sports’ use of the pitches as a result of softball use. Without significant levels of additional use it seems unlikely that softball will cause any significant issues relating to a reduction in quality, although if it did, issues are likely to be easily



remedied (for example loss of grass through wear and tear on the diamond (runs, bases etc.) being re-seeded).

- 15.16 From work elsewhere, we understand that softball, like rounders and baseball, can be social / informal games attracting various age groups and families. As a sport which is easy to participate in and requiring little specialist equipment, the game is easy to access and enjoy particularly as it is played in the summer months. It lends itself to the potential for growth. The league has suggested that, ideally, it would accommodate a 4 pitch site with diamonds marked out, fences and a pavilion / clubhouse. This type of site would enable the league to grow, host youth training and tournaments and school competitions which in turn, would help to grow and sustain the league into the future.
- 15.17 It is suggested that, where sites are considered for repurposing as a result of the strategy's approach to improve quality of provision for football, that a dedicated home ground is explored for softball to accommodate 4 pitches and a clubhouse facility. Sites such as the Polo Ground or Moredon could be considered as future home grounds for softball where the sport fits with other sports pitches provided on the site.

## 16. Action Plan Framework

### (What needs to be done to implement the strategy?)

- 16.1 Following consultation on the draft strategy and any changes made as a result, confirmed recommendations and actions have been set out in a "live" action plan framework which members of the steering group will have a responsibility to implement. As noted earlier this implementation will also depend on steering group members co-ordinating and working closely with clubs, teams, league organisers, providers, owners of current pitches and owners of pitches and potential sites for additional pitches. The action plan framework will, periodically, be updated by the Borough Council to confirm options presented in this strategy as further work during implementation is done on feasibility, viability and the implications of other actions are understood fully.

## 17. Monitoring and Review

### (How will the implementation of the strategy and action framework be monitored and reviewed?)

- 17.1 As referred to in the strategy recommendations, it is important that the strategy and impact of its actions are monitored to ensure that supply matches demand "on the ground". This is particularly important later during the strategy period given that future demand in the longer-term is less accurate given that it is based on projections. As actions are implemented, a "plan, deliver, monitor, manage" approach should be employed.
- 17.2 It is recommended that the strategy is reviewed after a period of 3 years or before this time should substantive changes be made to supply, demand or implications of change likely to take place during the strategy period (such as significant confirmed or adopted changes in levels of housing or population growth). Equally, other triggers for a review before this time could be changes to planning or sports policy or the methodology used to assess playing pitches and / or facilities or the desire to better understand likely provision required to the end of the current adopted Local Plan period to 2026 or beyond.

## 18. Glossary

### (Explanation of technical terms and abbreviations)

Term	Description
3G	Third generation AGP usually dressed with rubber crumb. The surface is commonly used for football but can also be used for rugby where sufficiently sprung to reduce / absorb impact.
AGP	Artificial Grass Pitch, sometimes referred to as an ATP (Artificial Turf Pitch). The term covers all types of artificial pitch including, sand based, sand dressed, water based and 3G.
Carrying capacity	Knowing the quality of a grass pitch allows us to make an assumption of how many matches each size and type of pitch should be able to accommodate without leading to deterioration of the pitch's quality. This is called its carrying capacity. The figures are provided as "match equivalent sessions per season" for cricket pitches and "match equivalent sessions per week" for rugby union and football. Any use of a pitch, when demand is considered is converted to this unit of measurement for ease of comparison. The assumption of match equivalent sessions for quality ratings is based on guidelines provided by sports governing bodies. The carrying capacity of AGPs is measured in the amount of time in hours available for community use in the peak period.
Demand:	
Current demand	Demand demonstrated as existing "on the ground" during the season when data is collected for the PPS.
Latent demand	<p>"Whereas unmet demand is known to exist latent demand is demand that evidence suggests may be generated from the current population should they have access to more or better provision. This could include feedback from a sports club who may feel that they could set up and run an additional team if they had access to better provision. Details of the potential amount and type of any latent demand in the study area should be sought."</p> <p>(Paragraph B37, Playing Pitch Strategy Guidance, 2013, Sport England)</p>
Unmet demand	<p>"Current <b>unmet demand</b> could be in the form of a team that has currently got access to a pitch for its matches but nowhere to train or vice versa. It could also be from an educational establishment that is currently using an indoor facility because of the lack of access to outdoor pitch provision. Along with a lack of pitches of a particular type being available to the community unmet demand may be due to the poor quality and therefore limited capacity of pitches in the area and/or a lack of provision and ancillary facilities which meet a certain standard of play/league requirement. League secretaries may be aware of some unmet demand as they may have refused applications from teams wishing to enter their competitions due to a lack of pitch provision which in turn is hindering the growth of the league. As it is known to exist any unmet demand recorded should be easily quantifiable e.g. a training session for one team on a weekday evening."</p> <p>(Paragraph B36, Playing Pitch Strategy Guidance, 2013, Sport England)</p>
Aspirational future demand	Demand that a club might identify as likely or desirable to come forward during the strategy period.
Displaced demand	"Displaced demand generally relates to play by teams or other users of playing pitches from within the study area (i.e. from residents of the study area) which takes place outside the area. It is important to know whether this displaced demand is due to issues with the provision of pitches and ancillary facilities in the study area, just reflective of how the sports are played (e.g. at a central venue for the wider area) or due to the most convenient site for the respective users just falling outside

Term	Description
	<p>of the LA/study area. It is therefore important to establish:</p> <ul style="list-style-type: none"> <li>• What displaced demand exists and why including the amount and type of demand (e.g. a senior match on a natural grass pitch, a junior training session on an AGP);</li> <li>• Whether those generating the displaced demand would prefer to play within the study area and where.”</li> </ul> <p>(Paragraph B34, Playing Pitch Strategy Guidance, 2013, Sport England)</p>
ECB	England Cricket Board, the NGB for cricket.
EH	England Hockey, the NGB for hockey.
FA	Football Association, the NGB for football.
LP	Local Plan
Match equivalents	See “carrying capacity”
NGB	National Governing Body (for sport)
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
Peak period	The period of time used to compare community use on AGPs. The peak period is typically Mon-Thurs 5pm-9pm, Fri 5pm-7pm and Sat and Sun 9am-5pm, a total of 34 hours per week.
PPS	Playing Pitch Strategy
RFU	Rugby Football Union, the NGB for rugby union.
SBC	Swindon Borough Council
SE	Sport England
TGR	Team Generation Rate, a calculation used to estimate future numbers of teams for the main pitch sports based on population projections set against the existing number of teams within the current population.
WC	Wiltshire Cricket, the county cricket association.
WFA	Wiltshire FA, the county football association.



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## Appendix 3 – Summary of Sport by Sport findings and Recommendations

While there are numerous recommendations for each sport and pitch type, the strategy's main headlines are set out below to provide a "snapshot" of the strategy's findings for pitch provision in the Borough.

### Football:

- There are a number of grass pitches where improvements in drainage and quality could improve resilience and reliability during wet periods of the season.
- Supply currently meets demand although there is increasing reliance on unsecure community use pitches. The strategy should seek to ensure that best use is made of secure sites and teams do not have to rely on long-term use of unsecure sites.
- There is a lack of full size 3G pitches with secure community use which could support match play, with all secure community use 3G pitches being small or half size.
- There is an equivalent to around 17 full size grass pitches of potential capacity on secure community use sites which is currently unused. Almost all of this unused capacity is on pitches which are used for matches already with only 1 or 2 pitches not currently used for matches at all. Therefore, while this capacity is unused, most of it is not surplus and should not be lost or removed from supply, but is "capacity headroom" which is likely to be required to accommodate future demand to 2021 and beyond.
- Demand is projected to increase by 2021. Assuming that unused capacity on existing secure sites can be used, moving teams away from unsecure to secure community use sites and taking into account future demand from an increase in the number of teams, an additional 12.5 full size grass pitches would be needed to accommodate additional match play (if 3G pitches do not feature as part of the solution for future provision).
- 4-5 additional full size floodlit 3G pitches with secure community use are needed by 2021 if all clubs are to have an opportunity to train on a 3G surface. This will provide additional supply / capacity for matches at weekends which will, in turn, reduce the capacity required for additional grass pitches if 3G provision is delivered.

### Hockey:

- Supply currently meets demand from Swindon's two clubs, albeit on unsecure community use AGPs. This presents a risk to certainty of future use which should be addressed by provision of secure community use floodlit pitches.
- One pitch currently used by one hockey club is of poor quality.
- Demand is projected to increase by 2021, equating to a need for at least 2 full size secure community use pitches with floodlighting to accommodate match day play on Saturdays and Sundays. Training needs can easily fit within this level of provision. One additional pitch may be needed subject to demand being demonstrated "on the ground".

### Cricket:

- Taking current demand into account and comparing to supply, there are 72 match equivalents of unused capacity on secure use grass pitches<sup>1</sup> (equating to 8 pitches of good quality) and -17 on secure use artificial pitches (meaning that artificial pitch capacity is currently overused).
- Demand is projected to increase by 2021. Growth in cricket is likely to manifest in informal versions of the game and junior and women's cricket. Future provision will need to recognise and cater for this growth appropriately.
- Figures estimate that, taking into account existing unused capacity which could practically be used by teams, a desire to move use away from unsecure to secure sites and the demand for additional new capacity, an equivalent need will exist for additional capacity providing an equivalent of 34 good quality grass pitches (i.e. wickets / strips) and 8 good quality artificial pitches, which could be provided through a

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<sup>1</sup> For the purposes of this strategy a cricket "pitch" is a "wicket" or the strip of playing surface on which the batting takes place and comprises two sets of stumps and bails (one at each end). A "square" is the area within which one or more pitches are laid and set out. The "ground" comprises the pitches (and therefore the square), "infield" and "outfield" where bowling and fielding takes place and ancillary facilities such as the pavilion.

combination of: improving the quality of standard and poor quality pitches; securing community use on current unsecure sites; new additional pitches at existing grounds where capacity would be practically usable; and / or, new additional grounds in sub-areas / locations where the demand is likely to occur.

### **Rugby Union:**

- There are currently significant levels of overplay on secure community use pitches used by the two clubs with their own home ground. Some of this over-play can be overcome by improvements to existing pitches, but not all.
- One club is without a permanent home ground on a secure community use site.
- Demand is projected to increase by 2021. Taking into account overplay at existing sites, a desire to move use away from unsecure to secure sites and the demand for additional new capacity, this translates into an equivalent need for additional capacity of 14 good quality full size grass pitches, which could be provided through a combination of: improving the quality and / or maintenance regimes of existing pitches; providing floodlighting to increase evening training capacity; securing community use on current unsecure sites; new additional pitches at existing club grounds where feasible; a rugby focused 3G pitch; and / or, a longer-term (beyond the strategy period) rugby hub / cluster site.

### **Other Sports:**

- Both American Football and Rugby League share use of rugby union pitches and do not have a permanent sole use ground. Remedying this position would help to relieve some of the over-play at one of the rugby clubs.
- Softball's needs are well catered for at their current site, but a permanent home for sole use for softball in the summer months would prevent any potential conflict with use of a ground for cricket if softball numbers grow.

### **General:**

- The current supply of playing pitches should be protected from loss.
- The provision of any new grass or artificial pitch will need to demonstrate long-term cost viability prior to delivery and should be made available for secure community use where possible.
- A "plan, deliver, monitor, manage" approach should be taken to the provision of new pitches and the management and any necessary "re-packaging" of existing supply. Provision of additional pitches / capacity should be made in response to demonstrable demand "on the ground".
- As the strategy development has progressed, some pitches have been subject to possible transfer from Swindon Borough Council to newly formed Parish Councils. The Assessment Report and this strategy have sought to recognise the most up-to-date position on the possible transfer but further work or plans for delivery will need to reflect the implications on pitch supply and demand of any such transfers should they take place during 2017.
- Provision standards are no longer supported by Sport England. Where a baseline of provision in relation to the number of pitches is required for new development proposals, the Sport England Playing Pitch Calculator should be used as a starting point. It is important to note that provision figures generated by the calculator provide a guide only and **should not be relied upon in isolation** outside of the strategy recommendations for each sport and specific sites, pitches or sub-areas within the Borough.



Consultee	Comment	Officer Response	Change made to draft Strategy or Assessment Report
Fiona Dickens - Public Health SBC	<p>Public Health’s interest in this strategy comes from our role in improving health and wellbeing of the population of Swindon. I am pleased that the strategy references a number of areas related to health and wellbeing including:</p> <ul style="list-style-type: none"><li>• Support for leisure and active lives, green infrastructure, transport, economic development and wider planning programmes.</li><li>• Mentioning the Get Swindon Active Strategy 2015-2020, the Health and Wellbeing Board’s Health and Wellbeing Strategy 2017-2022 and the Joint Strategic Needs Assessments (JSNA) and how these link to this strategy.</li></ul> <p>The strategy recommends that the current supply of playing pitches should be protected from loss and there is a case for potentially increasing pitches as the population grows. I welcome this recommendation.</p> <p>I support the strategy and have nothing to add as it covers the areas of interest for public health and it is compliant with Sport England’s Playing Pitch Strategy guidance.</p>	Thank you for these comments, they are noted.	None
Angela Raymond - Wanborough Parish Council	Included within the strategy are privately owned sports facilities such as PGL Liddington, these facilities are not available for community use, and can not be hired therefore Parish Council feel they should not be included within the document.	As detailed on page 11 of the assessment report: the PPS audit stage of the strategy’s development has identified pitches both which have community use or access and those which have not. This is in accordance with the Sport England Playing Pitch Strategy Guidance, which requires the whole picture of supply to be understood. It is important to understand the balance of supply between the two and understand any opportunities to gain access to pitches currently without any community access. Pitches which have no access for the community as a whole can act as a constraint on supply. As they tend to be in private ownership or are in place for use by specific users (for example, on school sites) they have not been counted in the assessment as a main part of supply from which the community gains a benefit.	Footnote added to p.29 of assessment report andtext to p.10 of strategy.
	Within Wanborough Parish there is another public open space – Church Meadow (off Lynch Field Upper Wanborough) that has one junior football pitch, this has not been included within the strategy.	Thank you for the additional information. Looking back at survey information, information from the Parish indicates that there was a pitch there at the time, but it was not in use by any teams/clubs. Reference to the pitch will be made within the strategy and assessment report along with a footnote or note alongside to say when it has been added into the PPS work (i.e after strategy consultation). However it should be noted that the use of pitches changes from season to season and so a cut off point for data is required. Data has not been adjusted to protect the integrity of the data, collected in 2016, however it will be noted that there may be a small amount of additional spare, or less, capacity within the sub area due to this additional pitch.	Footnote added to p.29 of strategy and pp.150, 201, 47 and 29 of assessment report.
	The playing pitches and facilities have all been given a rating of “Poor”, “Standard” and “Good”, but there is nothing within the strategy that shows how these ratings are reached, what’s the difference between a “standard” sports field and a “good” sports field? Parish Council would like to see more detailed information on these ratings.	The National Governing Bodies (NGBs) provided example sport specific non-technical pitch quality assessment forms, designed to help with developing an understanding of the quality of a pitch and ancillary facilities. Through filling in different details about the pitch on a site assessment, the form calculates a pitch score percentage, which corresponds to a rating of good, standard or poor depending on the percentage. Examples of these assessment sheets and the percentage ranges for each rating can be appended to the document (within appendix 5), and an explanation of what the quality ratings mean and how they are generated will be added to the assessment report (p.5) Reference will also be made in footnotes to text in the strategy	References added as listed - assessment report (p.5) and appendix 5 where a copy of the audit forms could also be reproduced. Reference to the how and what also be made in footnotes to text in the strategy on pp. 11, 28, 31, 42, 49 and 56.
	Parish Council would like SBC to carry out an analysis of all other sports such as Tennis and Bowls that are not included within the playing pitch strategy to gain a better understanding of all sports needs within the Borough.	Tennis and Bowls are played on courts and greens respectively, and as such are not listed in the definition of a playing pitch in the Government’s 2010 ‘Town and Country Planning (Development Management Procedure) (England) Order. They therefore are not covered within the Sport England Playing Pitch Strategy Guidance, which the strategy has been prepared in accordance with. However, Tennis Courts and Bowling Greens are considered an Outdoor Sports Facility under Local Plan Policy EN3 (Open Space) and as part of the Local Plan Review there is an opportunity to carry out an assessment of these as part of a wider Leisure Facilities Strategy.	None
	Overall Parish Council feel that the document provides a very good analysis of the needs and requirements for Swindon Borough. Parish Council would like to see Swindon Borough Council using this information from this strategy to support local communities and help to improve sport within their areas.	Noted.	None

Colin Hayes	Appendix 5 – Need a key to explain ratings	The National Governing Bodies (NGBs) provided example sport specific non-technical pitch quality assessment forms, designed to help with developing an understanding of the quality of a pitch and ancillary facilities. Through filling in different details about the pitch on a site assessment, the form calculates a pitch score percentage, which corresponds to a rating of good, standard or poor depending on the percentage. Examples of these assessment sheets and the percentage ranges for each rating can be appended to the document (within appendix 5), and an explanation of what the quality ratings mean and how they are generated will be added to the assessment report (p.5) Reference will also be made in footnotes to text in the strategy.	See above changes to appendix 5.
	Appendix 5 - Why mention facilities that are not available for community use?	As detailed on page 11 of the assessment report: the PPS audit stage of the strategy's development has identified pitches both which have community use or access and those which have not. This is in accordance with the Sport England Playing Pitch Strategy Guidance, which requires the whole picture of supply to be understood. It is important to understand the balance of supply between the two and understand any opportunities to gain access to pitches currently without any community access. Pitches which have no access for the community as a whole can act as a constraint on supply. As they tend to be in private ownership or are in place for use by specific users (for example, on school sites) they have not been counted in the assessment as a main part of supply from which the community gains a benefit.	See above changes to strategy and assessment report.
	Appendix 5 - Pitch – Not sure how the rating is achieved – Good / Standard / Poor and what would be	See previous comment above.	See above changes to appendix 5.
	Appendix 5 - Ancillary Facilities – Not sure how the rating is achieved – Good / Standard / Poor and what is covered.	See previous comment above.	See above changes to appendix 5.
	Appendix 6 - Ridgeway - it is suggested additional requirements for Cricket and Football - does this take into account NEV	The strategy and its assessment of demand and additional requirements covers the period between 2016 and 2021. The delivery of the NEV is likely to occur post 2021, therefore the Council are currently undertaking an additional 'add-on' piece of work to consider how best to provide for additional capacity beyond the 2021 strategy period to 2026.	None
	Appendix 7 – Useful information, not sure what SBC plans are regarding this.	Appendix 7 outlines the three scenarios that have been run to try to identify levels of demand for full size 3G pitches. These are described in more detail in paragraphs 11.24 and 11.25 of the strategy. As detailed in paragraph 11.26 of the strategy, the scenario results have been considered by the Playing Pitch strategy steering group and it is considered that future provision of 3G capacity should focus around scenario 2b which provides sufficient capacity to support training capacity for all teams to 2021 and also provides match day capacity during weekends.	None
	Appendix 9 – not sure why this has been included	Sport England's market segmentation tool presents data designed to help understand the life stages and attitudes of different population groups and the sporting interventions most likely to engage them. The tool can be used to identify the number of people currently playing a sport, as well as providing a picture of the number of people who do not currently play but would like to. It has therefore been used in the assessment of demand, as outlined per sport in the Assessment Report. The tool identifies nineteen sporting segments, each given a name, to help us understand different attitudes to sport, which are included in Appendix 9.	None
Jane Milner Barry - Old Town and East Wichel Ward Councillor	I welcome the draft playing pitch strategy as a tool for making sure that there are adequate playing pitches available for children and adults as Swindon continues to expand, and as part of a policy of encouraging participation in sport which will benefit the physical and mental health of people of all ages and help reduce the pressure on health and social services.	Noted.	None
	Both tennis and bowls are absent from the Strategy. Both are played outdoors on pitches and are among the most popular sports. Bowls plays an important role in helping to keep older people physically and mentally healthy. Other local authorities have included one or both of these sports in their playing pitch strategies. In Swindon are they catered for in some other strategic plan? If not, what is the rationale for their omission?	Tennis and Bowls are played on courts and greens respectively, and as such are not listed in the definition of a playing pitch in the Government's 2010 'Town and Country Planning (Development Management Procedure) (England) Order'. They therefore are not covered within the Sport England Playing Pitch Strategy Guidance, which the strategy has been prepared in accordance with. However, Tennis Courts and Bowling Greens are considered an Outdoor Sports Facility under Local Plan Policy EN3 (Open Space) and as part of the Local Plan Review there is an opportunity to carry out an assessment of these as part of a wider Leisure Facilities Strategy.	None

	<p>I have found no consideration in the strategy of the possible health implications of playing on 3G pitches both for adults and children. There seem to be two main concerns:</p> <p>*The characteristics of the 3G pitch which may mean that children are more likely to injure themselves when playing on 3G rather than grass. Have the authors investigated this?</p>	<p>The Playing Pitch Strategy is prepared in accordance with the Sport England Guidance, which outlines that its objective is to provide an assessment of the supply and demand for pitches. It is therefore is not required to assess the health impacts of different pitch types. The strategy does state that the provision of new 3G pitches should meet the most up-to-date NGB/Sport England standards, which may change during the lifetime of the strategy as more research about 3G surfaces and health comes forward.</p>	None
	<p>*The carcinogenic content of tyre crumb and its possible effects on health. As well as concerning anecdotal evidence, there is plenty of ongoing scientific research on this issue, but no firm conclusions have yet been reached. I note that in late 2016, following an investigation in the Netherlands which found crumb samples to contain carcinogens known to cause cancer, the Ajax football academy said that children would no longer play on 3G pitches and that the pitches would be destroyed. In America, the Environmental Protection Agency has a study in progress: <a href="https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields">https://www.epa.gov/chemical-research/federal-research-recycled-tire-crumb-used-playing-fields</a>. Have the authors of the playing pitch strategy investigated this issue? If so, what were their conclusions?</p>	<p>The Playing Pitch Strategy is prepared in accordance with the Sport England Guidance, which outlines that its objective is to provide an assessment of the supply and demand for pitches. It is therefore is not required to assess the health impacts of different pitch types. The strategy does state that the provision of new 3G pitches should meet the most up-to-date NGB/Sport England standards, which may change during the lifetime of the strategy as more research about 3G surfaces and health comes forward.</p>	None
	<p>Given that research is ongoing, and the huge expense of installing and maintaining 3g pitches, should consideration be given to improving the drainage and general condition of grass pitches rather than replacing them with 3g pitches?</p>	<p>Improved drainage of grass pitches is suggested as a recommendation. The strategy does not recommended artificial pitches as a replacement for grass pitches, and one of the recommendations of the strategy is to ensure that delivery of 3G capacity does not compromise the continued use of existing grass pitches. Consultation with clubs and National Governing Bodies has shown their preference for artificial pitches for training during the evening in winter months to prevent damage to the grass pitches for match play, and to allow teams to train into the evening. It is considered that the provision of a small number of artificial pitches in key, accessible locations will help reduce overplay and damage to grass pitches, and meet the needs of the clubs allowing them to continue to develop.</p>	None
	<p>The Strategy (page 22) quotes the Accessibility standards from the SBC Open Space Audit 2014. Although the standards state that junior pitches should be available within 15 minutes walking time, the accessibility standard for adult sports facilities is 20 minutes drive time. Effectively this means that access to adult sports facilities can be restricted to people owning a car. At a time when local councils are trying to get people to walk, cycle or use public transport for both health and environmental reasons, does this make sense?</p>	<p>These are the adopted Local Plan 2026 standards, which acknowledge the nature of adult sports fixtures, in which teams may need to travel greater distances to pitches for matches. As part of the upcoming Local Plan Review there is opportunity for these to be updated. Whilst the health argument is recognised, the strategy identifies that the provision of adult pitches will be based not only on proximity to the catchment of players they serve (and population they potentially serve), but also quality and the ability to maintain quality at a time when economies of scale need to be realised and against a backdrop of a reduction in resources. This does not mean a reduction in open space, just a change of focus in where and how good quality grass pitches are provided. This is what the strategy seeks to achieve through the provision of demand and quality led provision on multi pitch sites, rather than dispersed single pitch sites where there is a risk to the ability to maintain, and therefore a risk to the quality and viability.</p>	None
Gary Sumner - Chairman Wanborough Juniors FC	<p>Hooper's Field: The youth pitch is waterlogged more than the adult pitch. Next season we will have to share the two pitches (Youth and Adult) between 3 youth teams, an U18 and an adult team.</p>	<p>Thank you for this additional information, this comment will be added to the assessment report alongside other anonymised comments. However, the PPS does recognise that there are drainage issues at Hoopersfield and p36 of the strategy recommends improvements to drainage at this site.</p>	Added to comments atable on p.123 of assessment report.
	<p>Lower Recreation Ground – public space with large and small pitch (formerly used for adult games). This is now used for U9 &amp; U10 matches and training.</p>	<p>Thank you for the additional information, this can be noted in the strategy as a change that has ocured since audits were undertaken , and is helpful as the strategy moves into a monitoring and delivery phase. However it should be noted that the use of pitches and issues of concern changes from season to season and so a cut off point for data is required. Any actions taken in the sub-area and that pitch in particular would need to reflect the up-to-date position in terms of use. An additional recommendation can therefore be added for each sport which refers back to data being a snapshot in time and that following a "plan, monitor, deliver, manage" approach requires the up-to-date position of use being understood prior to any action in the action plan being acted upon, which this additional information helps towards.</p>	None, having read back through, there is already a recommendation that covers this point.
	<p>Lower Recreation Ground - We have to notify Parish Council in advance about training/match days and also book any days required for friendly games – this makes its use more restricted.</p>	<p>Thank you for this additional information, this comment will be added to the assessment report alongside other anonymised comments.</p>	Added to comments atable on p.123 of assessment report.

	<p>Church Meadow has been omitted. This is now in its second season of use for U14 football and goals and pitches are as required for this age. The grass requires more regular cutting and the surface is not great however we have an under capacity for pitches for this age. We use with the Parish Council's consent as no cost but the club have to pay to cut the grass as a football pitch – the standard of grass cutting from the parish Council is 'amenity' rather than sports pitch. Also at our expense we have installed a metal shed to safely store our nets and equipment.</p>	<p>Thank you for the additional information. Looking back at survey information, information from the Parish indicates that there was a pitch there at the time, but it was not in use by any teams/clubs. Reference to the pitch will be made within the strategy and assessment report along with a footnote or note alongside to say when it has been added into the PPS work (i.e after strategy consultation). However it should be noted that the use of pitches changes from season to season and so a cut off point for data is required. Data has not been adjusted to protect the integrity of the data, collected in 2016, however it will be noted that there may be a small amount of additional spare, or less, capacity within the sub area due to this additional pitch.</p>	<p>See above changes.</p>
	<p>Wanborough Primary School: Now shared by U7 and two U8 teams plus 15 children in our U6 team. Playing surface is poor and not maintained, also used by school for STFC FITC after school clubs and for school football. Gets very wet in places and grass cutting difficult as weather gets wetter.</p>	<p>Thank you for the additional information , this can be noted in the strategy as a change that has occurred since audits were undertaken, and is helpful as the strategy moves into a monitoring and delivery phase. See previous comments regarding additional recommendation per sport requiring the up-to-date position of use being understood prior to any action in the action plan being acted upon. Additional comments regarding maintenance/drainage issues can be added to the assessment report alongside anonymised comments.</p>	<p>See above changes.</p>
	<p>Lower Recreation Ground, Church Meadow and Wanborough Primary School receive no maintenance. There has been little maintenance of the sports pitches at Hooper's Field (some verti-draining 3 years or so ago). The club have to pay to cut the grass as a football pitch – the standard of grass cutting from the parish Council is 'amenity' rather than sports pitch.</p>	<p>Thank you for this additional information, this comment will be added to the assessment report alongside other anonymised comments. The PPS does recognise that there are drainage issues at Hoopersfield and p36 of the strategy recommends improvements to drainage at this site.</p>	<p>Added to comments atable on p.123 of assessment report.</p>
	<p>Liddington: We use Liddington Rec where we have supplied metal goals for 9 a side football which are also available for public use. We keep a metal shed and store a set of match goals here. Used by permission of Liddington Parish council – situated on chalk so grass is generally shorter but we pay for occasional extra cuts.</p>	<p>Thank you for the additional information , this can be noted in the strategy as a change that has occurred since audits were undertaken, and is helpful as the strategy moves into a monitoring and delivery phase. See previous comments regarding additional recommendation per sport requiring the up-to-date position of use being understood prior to any action in the action plan being acted upon.</p>	<p>Added to comments atable on p.123 of assessment report.</p>
	<p>In order for Clubs to raise funds (holding tournaments for example to promote football and increase use) there is a need for football facilities to be available year round. In Wanborough the Cricket Club has their ground in the middle of the sports pitches meaning that games cannot be played (friendly for example) all summer. This causes problems with player retention at the same time that we are making efforts to increase youth participation. We have an U6 team with 15 players (girls and boys) and good enough numbers to split the U8's into two teams. We would like to continue growing and we already have a large number of players from surrounding areas.</p>	<p>Noted - can be added to paragraph 13.10 regarding conflicts between winter and summer uses.</p>	<p>Changes made to text in paras 13.10 and 11.2 of strategy.</p>
	<p>The use of the above Parish Council pitches has not been considered as 'secure' as we have to book for friendly games etc or ad hoc training. As the Parish Council insist we have to book any footballing activity such as friendly games, grass cutting, additional training etc before giving consent we would not support the Parish Council obtaining more money on the pretext of supporting football when we do not have secured use for the period of our licence (which runs from 1/9 – 1/5).</p>	<p>Noted. However for the purpose of the strategy, as based on the Sport England Playing Pitch Strategy Guidance, the 'availability for community use' refers to whether a pitch is available for hire by, or leased to the community. The 'security' of this use is based on the degree of certainty that this pitch will be available for community use (i.e able to be booked/hired) for at least the following three years, rather than the unconditional use of a pitch by a particular user. For clarity, the definitions of secure and unsecure can be included in the glossary. A note can also be added to emphasise that there will always be a degree of risk that cannot be identified over the strategy period that some "secure" pitches may be less secure than others.</p>	<p>Note added into strategy text on p.9.</p>
	<p>Wanborough Juniors have now joined STFC FITC as a key partner in a new 3G facility proposed for the County Ground as we have not been able to secure agreement for a site for all weather training in Wanborough. If new playing fields/facilities are to be provided in the NEV it would be wise to use the experience of a Club such as Wanborough JFC to partner to ensure that Club infrastructure is in place to access grant funding as well as set up.</p>	<p>Noted. The delivery of the NEV is likely to occur post 2021, therefore the Council are currently undertaking an additional 'add-on' piece of work to consider how best to provide for additional capacity beyond the 2021 strategy period to 2026.</p>	<p>None.</p>
	<p>I hope these comments can be fed in to make the document more relevant and I want to say how we appreciate this thorough appraisal of our Borough's facilities.</p>	<p>Noted</p>	<p>None.</p>
Swindon Central North Parish Council	<p>The Central Swindon North Parish Council recognises that the draft Swindon Playing Pitch Strategy is a planning document looking at the need for outdoor facilities for the future, and balancing the availability of facilities with requirements/needs.</p>	<p>Noted</p>	<p>None.</p>
	<p>As stated on page 34 of the strategy document; a large number of the playing pitch facilities provided in Swindon, and included in the draft strategy, sit within the Central Swindon North Parish area and a high percentage of these have been rated as poor due to problems of flooding/waterlogging. This is a cause for concern for the Parish Council as it's not clear what the costs involved with improving pitches would be or who would be responsible for meeting these costs.</p>	<p>The Playing Pitch Strategy can help to improve the quality of offer and provision by identifying and quantifying issues relating to the quality of pitches and ancillary facilities, and can be used by clubs and teams and pitch providers to support applications for funding for the improvement of the quality, quantity and accessibility of provision. The Council will work with the Parish Council going forwards on this matter.</p>	<p>None.</p>
	<p>The Parish Council would question who determines the required standards for improved or replacement pitches.</p>	<p>The required standards for improvement or replacement pitches would be based on National Sports Governing Body Standards/Sport England Guidance.</p>	<p>None.</p>

It has been noted that there has been little or no provisions made for pitches within new developments in and around Swindon in recent years and we strongly feel that S106 monies from large developments where facilities are not provided for should be made available to allow the Parish Council to upgrade facilities.	The Strategic allocations detailed in the Local Plan set out requirements for pitch provision in these new developments. Also, the delivery of the New Eastern Villages and Kingsdown are likely occur post 2021 (the strategy covers the period 2016-2021) therefore the Council are currently undertaking an additional 'add-on' piece of work to consider how best to provide for additional capacity beyond the 2021 strategy period to 2026.	None.
The strategy document gives the Parish Council a good starting point for understanding the current position and negotiating with SBC around the transfer of pitches.	Noted	None.
We are at one with the report's conclusion on page 35 of the summary that all existing pitches should be retained and enhanced.	Noted.	None.
In addition we support the emerging plan for enhanced facilities in Moredon but remain concerned that the revenue costs of the new facilities are covered by revenue income.	The strategy recognises that any new pitches/facilities will need to have a sustainable long term business plan to ensure long-term viability. Viability is the key drive for proposed hub sites (such as Moredon) where the quantum of activity should result in sufficient footfall to enable a sustainable usage and business plan to be developed.	None.

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## **SEND Capital Investment Strategy (as at 22<sup>nd</sup> January 2018)**

### **Results of consultation December 2017 to January 2018**

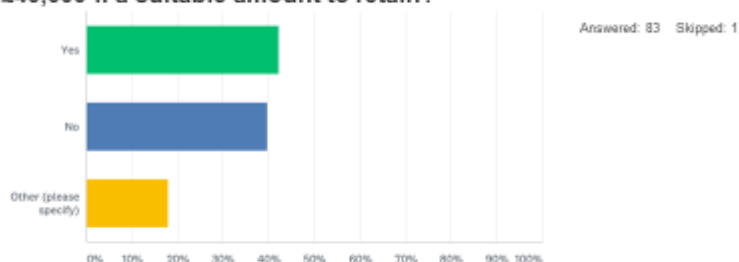
#### Background and Methodology

The capital fund is to support local authorities to invest in provision for children and young people with SEND aged 0-25 to improve the quality and range of provision available to the local authority. It is intended for the children and young people with education, health and care plans for whom the local authority is responsible.

The nature of the research and objectives called for a quantitative and qualitative approach and a questionnaire was drawn up. The questionnaire was sent children and young people, parents, schools, colleges and independent providers.

A total of 81 responses were received. The majority of responses were supportive of the draft strategy. However, there was some negative feedback regarding the proposal for 50/50 match funding (Question 6) and the suggested split was 25% provider funding with 75% from the SEND Capital Investment Fund. Originally, the strategy envisaged schools working together collaboratively to meet the proposed 50% provider costs, but it has been felt that the level of provider investment would be prohibitive for small schools. The results of the survey are set out below.

**Q1: It is proposed to retain £40,000 of the investment strategy as an access fund for the Local Authority to commission low level adjustments to schools in order to support a placement proposed in the EHCP. Do you feel that £40,000 is a suitable amount to retain?**

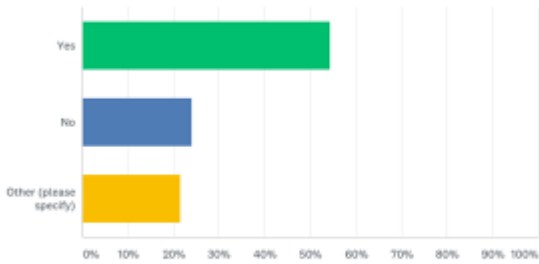


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**Q2: It is proposed to use the Capital Investment Fund to target a number of smaller schemes to try and widen the reach of this investment. Do you agree with the proposal?**

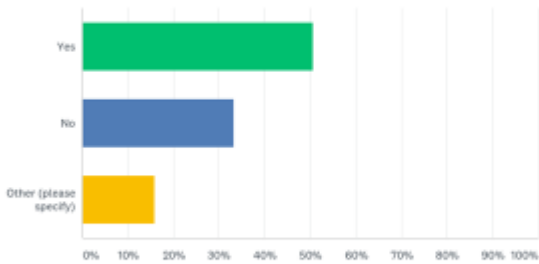
Answered: 79 Skipped: 5



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**Q3: The Capital Investment Fund will be allocated to projects in criteria order until the funding limit has been reached? Do you agree with the proposed criteria?**

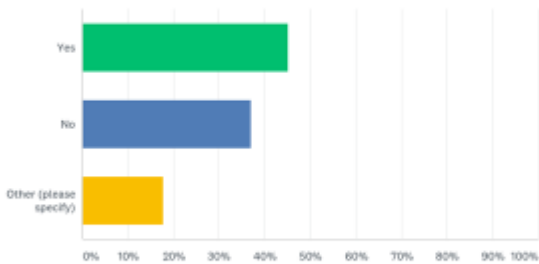
Answered: 69 Skipped: 15



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**Q4: The bids will be scored against the criteria (out of 100 points). Do you agree with the proposed point scores indicated?**

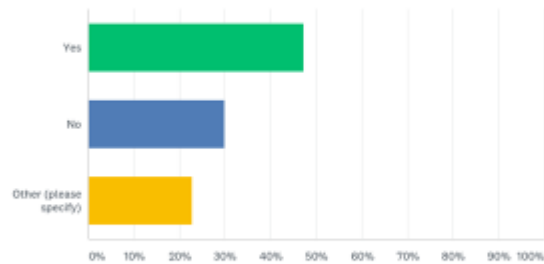
Answered: 62 Skipped: 22



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**Q5: A minimum level of the bid is £2,000 and the maximum £50,000, in addition the projects will be match funded by the provider at 50%. Do you feel that the minimum and max bids proposed are set a realistic amount?**

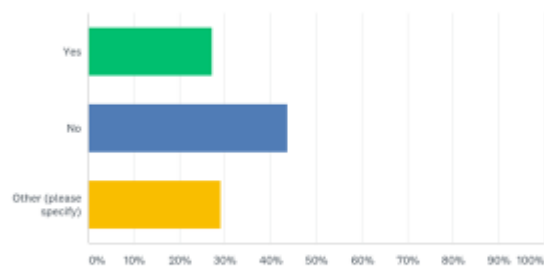
Answered: 57 Skipped: 27



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**Q6: Projects will be match funded by the provider at 50% of the project cost. Do you feel that the 50% is the right level proposed for settings?**

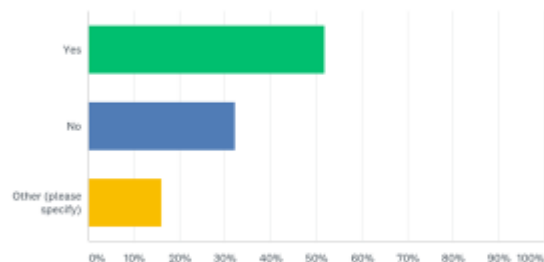
Answered: 55 Skipped: 29



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**Q7: Bids will be invited from providers between 2nd April 2018 and 4th May 2018 in order to try and approve some schemes required for the September 2018 intake. Do you agree with the proposed timeframe?**

Answered: 56 Skipped: 28



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During the previous consultation reported to the Cabinet in July 2012 there was a clear case made for a school to be located at the County Road site.

The purpose of this consultation was to gather stakeholder opinion on the draft SEND Capital Investment Strategy. The results of the consultation do indicate clear support for the proposed strategy with the exception of question 6 regarding the level of match funding.

### Consultation with Children and Young People

A consultation event was held at Nythe Centre on 20<sup>th</sup> January 2018 with nine children and young people with EHCP's organised by the STEP Group.

A slightly amended consultation questionnaire was prepared to tailor the questions to the relevant age group. The responses of the consultation were positive and are summarised in the tables below. Suggested priorities for spend from the group on support for future careers, apprenticeships and life skills will be incorporated into the criteria within the SEND Capital Investment Strategy.

<b>Q1: Improvements to existing settings rather than creating new places should take priority</b>					<b>Q2: The Investment funds should be split between as many existing settings as possible to provide better access and facilities for all children</b>				
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5

<b>Q3: Do you feel the facilities at your school meet the needs of SEN pupils?</b>					<b>Q4: Do you feel that the facilities at your school could be improved to help meet the needs of SEN pupils?</b>				
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5
1	2	3	4	5	1	2	3	4	5

Q5: Schools that are allocated the funding to improve their facilities should match the funding offer?					Q6: What is your year group?						
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other
1	2	3	4	5	7	8	9	10	11	Post 16	Other

Q7: What do you think the capital Investment Funding could be spent on? (Carried out as a group activity)
<i>Putting funding into SEND centres - support outside of school</i> <i>Work experience and careers and apprenticeships</i> <i>My school (Crowdys Hill)</i> <i>More support for EHCP process and those that don't meet the criteria</i> <i>Social group / Youth clubs / access to sport &amp; leisure</i> <i>Support around life skills</i> <i>Play resources and sensory rooms</i>

### Feedback from the survey and Local Authority responses

A number of comments were submitted on the survey form and are set out below with the Local Authority response. A number of comments were related to wider pressures and issues within SEND and are outside the remit of the consultation on this proposal. All feedback and suggestions have been gathered and reported back to the Strategic SEND Board as part of a review of the SEND strategy.

Stakeholder comments	LA's Response
I think that tried and tested models should be looked at and then recreated in other settings.	The draft capital investment strategy proposes that providers submit applications for capital works, which can be based on existing best practice or tried and tested methods.

Stakeholder comments	LA's Response
Yes. The borough lacks hard facts which shows. If you don't know how many apples are growing how do you know if you have enough baskets to put them in. This is a flash response to a poor situation and why was consumtation over Xmas? Busy time? Not many parents? Bit too convenient	The approved strategy must be published on Swindon's Local Offer by Wednesday 14th March 2018 in order to draw down the funding. The risk of granting an extension is that we would lose the Capital Investment Funding for children with EHCP's in Swindon.
How is 40,000 pounds enough? how many SEN children do you currently have? how many are going to become SEN each year? criteria should not be used all SEN children should ghet all thre funding and support that they need no matter how complex.	This response relates to wider SEND issues and is not covered by this consultation. Your concerns have been fed back to the relevant teams.
Illegal under S31 of Capital Investment Funds. Please consult your DfE rep who will be informed	The Local authority has taken legal advice and understands what is proposed in the draft Capital Investment Strategy. We have complied with the guidance issued by the DFE and with S31 of the Local Government Act 2003.
Consultation too short. Parents at SN schools not informed. Grant rules clear. Your FOI requests on Sen funding are interesting and don't answer where monies have gone. No impact evaluation, no growth projections, no disability data.	The consultation was published in the public domain on Wednesday 13 <sup>th</sup> December 2017 with notifications being sent out to all Early Years settings, Schools, Special Schools, independent settings and parent and pupil forums have been attended. The Capital investment Strategy is not about providing resources to meet growth or identify needs, the purpose is about improving access to provision for children with EHCP's.
When considering proposed projects will consideration/priority be given to current state of school build? Some school building stock is less 'inclusion friendly' and where two comparable bids are received will prioritisation go to the school where building constraints are most hampering inclusive approaches?	Bids will be scored against the criteria and considered by a SEND Capital Panel. It is proposed that the Panel will include representatives from Education, Health and Social Care. The Local Authority will also request parental representation through the Contact service. Greater weight within each category will be given to joint schemes of more than one provider, where the improvements can be shared across a wider base and cohort.

Stakeholder comments	LA's Response
<p>I feel that you should identify an area of greatest need and do something big. Something that will have a noticeable impact and benefit children in terms of greater accessibility across Swindon</p>	<p>All bids submitted will be scored against the criteria and considered by a SEND Capital Panel. Whilst the investment from central government is welcome, it is recognised that the level of funding allocated would not stretch to create, improve and update the provision for SEND required across the Borough.</p>
<p>As a SENCO, there are a few areas that I think it is essential to focus on, in order to reduce the number of permanent exclusions in primary education, and the number of Year 7s who are excluded: 1) The amount of 2 day/3 day placements at Nylands Behaviour Outreach must be extended. There are currently none available, due to PEx-ed children taking all the space. This is forcing schools to permanently exclude children in order to access specialist support, when this could be avoided if more provision existed. 2) There is very little specialist provision for children in Y6 who are at high risk of PEx in Year 7 - they cannot access the Youth Offending Team yet or any kind of provision to change their thinking. Yes, the SEMH team can help, but I believe a specialist team should exist to support with preventing anti-social behaviour before it starts. 3) The number of children with anxiety is going through the roof. In our setting, this is creating school-refusers and stressed parents. We need an additional setting, like Riverside but at primary level, who can offer short placements for children with very high anxiety levels, who are then under-performing critically and facing exclusion due to their anxiety. Nothing like this currently exists.</p>	<p>The Local Authority is aware of the data relating to exclusions and an alteration provision working group involving schools is seeking to address the issue. This proposal is specifically for children with EHCP's rather than those excluded from the system.</p>
<p>Extremely unfriendly business proposal. The attitude that it's vulnerable children / young adults human lives that us being dealt with. Please do not put value to human lives. Help &amp; support needs to happen basis the need &amp; not be limited to a budget cut off.</p>	<p>This response relates to wider SEND issues and is not covered by this consultation. Your concerns have been feedback to the relevant teams.</p>



Stakeholder comments	LA's Response
<p>Swindon are failing too many children with SEN, some children are forced out of education others are not provided with correct education they can access. This has to STOP NOW. Early intervention is nonexistent, parents are blamed and not supported leading to families reaching crisis point but when they do reach crisis point there is no help available either. Whilst teachers and teacher assistants are doing their best; school management don't want the hassle of children with SEN, this has to CHANGE NOW. Time for school management to be sent on training courses to see the damage they are causing</p>	<p>This response relates to wider SEND issues and is not covered by this consultation. Your concerns have been feedback to the relevant teams.</p>
<p>Provision currently does not match need</p>	<p>Swindon has invested significantly in the provision exclusively for SEND by committing £11.6m since 2011 on a number of capital projects. In addition the Local Authority has supported the creation of a new secondary age Autistic Free School opening in September 2018. Whilst the investment from central government is welcome, it is recognised that the level of funding allocated would not stretch to create, improve and update the provision for SEND required across the Borough.</p>
<p>Good luck with the proposal as it is going to need it. I can't see settings putting in bids</p>	
<p>Inclusion into mainstream is not always the answer especially if the EHCP does not adequately cover the needs of the child through limited financial allocation. An across the board approach, supporting mainstream and expanding specialist provision within existing settings should be the answer</p>	<p>Local Authority understands the feedback. There is a wider range of SEN provision in Swindon and the Local Authority has invested significantly in the provision exclusively for SEND by committing £11.6m since 2011 on a number of capital projects. In addition the Local Authority has supported the creation of a new secondary age Autistic Free School opening in September 2018 .Whilst the investment from central government is welcome, it is recognised that the level of funding allocated would not stretch to create, improve and update the provision for SEND required across the Borough.</p>

Stakeholder comments	LA's Response
<p>More provision is still sought after! Mainstream schools cannot deal with our children and we are exhausted as parents. More projects are needed for children stuck in mainstream not accessing any education! It's not fair</p>	<p>Local Authority understands the feedback. There is a wider range of SEN provision in Swindon and the Local Authority has invested significantly in the provision exclusively for SEND by committing £11.6m since 2011 on a number of capital projects. In addition the Local Authority has supported the creation of a new secondary age Autistic Free School opening in September 2018 .Whilst the investment from central government is welcome, it is recognised that the level of funding allocated would not stretch to create, improve and update the provision for SEND required across the Borough.</p>
<p>More SRP provision is required. 3 for Swindon is woefully inadequate &amp; support in mainstream isn't often enough.</p>	<p>Local Authority understands the feedback. There is a wider range of SEN provision in Swindon and the Local Authority has invested significantly in the provision exclusively for SEND by committing £11.6m since 2011 on a number of capital projects. In addition the Local Authority has supported the creation of a new secondary age Autistic Free School opening in September 2018 .Whilst the investment from central government is welcome, it is recognised that the level of funding allocated would not stretch to create, improve and update the provision for SEND required across the Borough.</p>
<p>Many families feel let down by the support and resource available with Swindon education and are in desperate need for places helping with anxiety. Many schools are still 'managing out' their 'difficult' pupils causing distress and low self esteem. A borough wide campaign to do more to promote inclusion, fairness and understanding within all schools is vital and where they refuse, it needs to be dealt with.</p>	<p>This response relates to wider SEND issues and is not covered by this consultation. Your concerns have been feedback to the relevant teams.</p>
<p>Please consider the chalet school very little funding and could use some new sensory equipment staff! We as parents have raised 800 pounds but it is a very under funded school and the children there are in need of much more than they</p>	<p>All schools/ settings will be able to submit a bid for the funding.</p>

Stakeholder comments	LA's Response
have access to.	
You need to make these more widely known	The consultation was published in the public domain on Wednesday 13 <sup>th</sup> December 2017 with notifications being sent out to all Early Years settings, Schools, Special Schools, independent settings and parent and pupil forums have been attended.
I am unclear how this is going to support the growing number of sen. This is only going to increase with the number of premature babies surviving. It's not good enough	As set out in the draft strategy this level of funding is not to create additional places but it would be to invest in as many schemes as possible that meet the priorities to enable a greater proportion of children with SEND to benefit from this fund.
I welcome that SBC are asking these questions. If this level of searching for feed back were extended to include studies on transport, the increasing numbers of SEN children being home educated, or feedback on other strategies would also be nice...	This response relates to wider SEND issues and is not covered by this consultation. Your concerns have been feedback to the relevant teams.
I worry about the emphasis on good and outstanding schools and mainstream schools. Some high rated mainstream schools are not well equip to support send children and it's unfair to penalise a good project at a suitable provision over a large well funded academy.	Bids will be scored against the criteria and considered by a SEND Capital Panel. It is proposed that the Panel will include representatives from Education, Health and Social Care. The Local Authority will also request parental representation through the Contact service. Greater weight within each category will be given to joint schemes of more than one provider, where the improvements can be shared across a wider base and cohort.
I think the whole approach to the management of SEND and funding needs to be completely revamped, to streamline processes and create accessible provision for all children	This response relates to wider SEND issues and is not covered by this consultation. Your concerns have been feedback to the relevant teams.
More money is needed for SEN children !	Swindon has invested significantly in the provision exclusively for SEND by committing £11.6m since 2011 on a number of capital projects. In addition the Local Authority has supported the creation of a new secondary age Autistic Free School opening in September 2018.

Stakeholder comments	LA's Response
Why isn't this publicised to the parents and professionals more?	The consultation was published in the public domain on Wednesday 13 <sup>th</sup> December 2017 with notifications being sent out to all Early Years settings, Schools, Special Schools, independent settings and parent and pupil forums have been attended.

### Conclusion

In conclusion against the stated aims the consultation:

- Does indicate clear support for the draft strategy
- Does suggest changes should be made to the level of match funding to 25% provider funding to safeguard against the level of match funding proving prohibitive to smaller schools.
- The scoring criteria should be widened to include priorities for spend from the group on support for future careers, apprenticeships and life skills suggested by Children and Young People.

The consultation responses drew out wider issues from stakeholders in relation to SEND, therefore all feedback and suggestions have been gathered and reported back to the Strategic SEND Board as part of a review of the SEND strategy.

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