

County Recreation Ground Improvements and Asset Transfer

Cabinet

Date: 18th October 2017

Author: Cabinet Member for Communities and Place
Corporate Director Resources and Growth / Head of Property Assets

Wards: Central

Parishes Affected: Central Swindon South

1. Purpose and Reasons

- 1.1 This report seeks to update Cabinet on the Swindon Town Football in the Community Trust's interest in:
- 1.1.1 Taking a lease of part of the County Recreation Ground Swindon for the use and development of a pavilion to be shared with the Swindon Harriers Athletics Club and other community sports and social users, and
 - 1.1.2 Constructing an enclosed full size FA registered artificial grass pitch on the public open space to provide enhanced formal sports and community related facilities.
- 1.2 This report is necessary as it involves a leisure asset that serves the whole borough and Cabinet approval is being sought to grant the required leases to enable the proposed improvements to be delivered.
- 1.3 This proposal links to the One Swindon objectives of extending the use of public open spaces and parks for physical activities through working with community groups and promoting high quality facilities for sports, leisure and cultural activities across the town to aid the health and welfare agenda.

2. Recommendations

Cabinet is recommended to:

- 2.1 Authorise the Head of Property Assets in consultation with the Director of Law and Democratic Services to agree terms for the grant of a lease of the land at the County Recreation Ground Swindon ('the Grounds') shown edged red on the plan attached as Appendix 1 to the Swindon Harriers Athletics Club ('the Club'), for a term of 25 years, to enable the improvements detailed in the body of this report.
- 2.2 Authorise the Head of Property Assets in consultation with the Director of Law and Democratic Services to agree terms for the grant of a lease of the land at the County Recreation Ground Swindon ('the Grounds') shown edged blue on the plan attached as Appendix 1 to the Swindon Town Football in the Community ('the Trust'), for a term of 25 years, subject to planning permission being secured, to enable the improvements detailed in the body of this report.
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Further information on the subject of this report can be obtained from Kathy Sherratt, Direct Dial Telephone Number x3515, ksherratt@swindon.gov.uk.

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- 2.3 Authorise the Head of Property Assets in consultation with the Director of Finance to agree all necessary documentation to support the grant funding bids on such terms and conditions as are necessary to protect the Council's interests.
- 2.4 Authorise the Director of Law and Democratic Services to complete all necessary legal documentation to enable the lease of the land at the County Recreation Ground Swindon ('the Grounds') shown edged red and the land shown edged blue on the plan attached as Appendix 1 to the Swindon Harriers Athletics Club ('the Club') and to the Swindon Town Football in the Community ('the Trust') respectively, on such terms and conditions as he considers necessary to protect the Council's interests.
- 2.5 Approve a budget of £215K for the County Recreation Ground Improvements, funded from Section 106 Planning Agreement income.

3. Detail

- 3.1 The County Recreation Ground Swindon ('the Grounds') provides formal sporting facilities for football, cricket and athletics as well as informal open space and recreation for a variety of users. Following the transfer of the Council's leisure portfolio to Greenwich Leisure Limited on 1st November 2014 it was no longer possible for the Council to manage the athletics facility directly. The Council therefore considered the grant of a 21 year lease of this part of the Grounds to the Swindon Harriers Athletics Club ('the Club') and to support the Club to deliver a sustainable operation (Cabinet Minute 62, 2014/15 and Council Minute 81, 2014/15 refers). Draft lease terms have been proposed and the Club is managing the facilities on an interim tenancy. However there is an ambition by both the Council and the Club to amend these terms to accommodate the new proposals detailed below.
- 3.2 The Council Minute 81 above authorised two phases of work to support the Club to deliver a sustainable operation at the Grounds. Phase one, now complete, provided a new athletics track surface, floodlighting and athletics equipment. Phase two was to provide a clubhouse with changing room facilities and to consider shared occupation by a range of users to consolidate the land use, parking, utility and social potential of the site.
- 3.3 Officers of the Council have been working with the different users of the various formal sporting facilities at the Grounds on the agreed phase two. Feasibility work has been undertaken to assess the likely cost and to test the willingness of stakeholders to provide grants, aid site management and work with the Council to provide viable models for delivering site infrastructure and future management / ownership.
- 3.4 Swindon Town Football in the Community Trust ('the Trust') has been seeking a suitable site for a pavilion and full size FA artificial grass pitch ('the Pavilion and Pitch') to support its operation and has offered to manage any new clubhouse

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County Recreation Ground Improvements and Asset Transfer

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with changing rooms to complete the phase two if it can be permitted to construct the Pavilion and Pitch on the Councils land. The Trust has drawn up plans for the Pavilion and Pitch on the Grounds and has submitted a planning application (planning application reference number S/17/1227) seeking permission to undertake this work. The Trust currently operates from a temporary building adjacent to the Swindon Town FC stadium and would relocate to the Pavilion and Pitch when completed. Support in principle has been provided from national sports funding organisations to grant fund this project. The securing of planning permission for the Pavilion and Pitch is a pre-condition of any grant funding.

- 3.5 The Trust would require that the land utilised for the Pavilion and Pitch is leased to it and it is still proposed that the Club takes a lease of the land that is utilised mainly for athletics. It is proposed that the part of the Grounds shown approximately edged red and edged blue on the plan attached as Appendix 1 is leased to the Club and to the Trust respectively, for a term of 25 years.

Local Consultation and Responses

- 3.6 Two informal consultations on this proposal have been undertaken. The first consultation was hosted by the Trust in March 2017 and held at the Swindon Town FC community rooms. The Council collated the outcome which resulted in 105 out of 128 responses received supporting this proposal. The second consultation undertaken at the request of the Ward Councillors and was hosted by the Council at Broadgreen Community Centre. The Council collated the outcome which resulted in 41 of the 42 responses stating that they would use the facilities if the project is delivered.
- 3.7 The negative responses received from both consultations mostly related to the loss of informal public open space and additional areas being fenced; restrictions and limitations on access to areas for dog walkers and informal play and the potential expenses of using any new facilities and loss of free usage.
- 3.8 Although the majority of the respondents are supportive of the proposals it is anticipated that the concerns raised by those who did not would need to be addressed within any community use agreement documented with both the Trust and the Club. A community use agreement would be a condition of both any national sports grant funding and any planning permission.
- 3.9 Ward members comments relating to this proposal are included below:
- 3.9.1 Councillor Bob Wright has advised that 'My only contention with the note that **it is possible for the council to still manage the site** but has decided not do so. I am happy with the rest of the content. This is a political decision that other councils have chosen not to take. The Labour Group is clear that a cooperative model is possible for community assets and their management. Many of the things being addressed in the note would have been handled differently'

County Recreation Ground Improvements and Asset Transfer

Cabinet

Date: 18th October 2017

3.9.2 Councillor Julie Wright has advised that 'I would agree with Bob [Councillor Wright] on this point'.

3.9.3 Councillor Junab Ali has advised that 'I support this'.

4. Alternative Options

- 4.1 The Grounds could continue to support recreational use in its current form and / or the Grounds offered to the Central Swindon South Parish Council to manage. However under this option the opportunity for improved facilities run by the Club and the Trust and an improved access to the facilities to be delivered at no cost to the Council would be lost.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The Trust has already funded the preparation of plans for the local consultation and the submission of the planning application.
- 5.2 The Grounds would be leased to both the Club and the Trust at a nominal rental in exchange for the ongoing day to day management of any new facilities being delivered by them.
- 5.3 Section 106 Planning Agreement Income amounting to £215K is available for leisure service area projects at this location which would need to be authorised to fund this project.
- 5.4 Third party funding of between £1.3M - £1.7M (depending upon the specification of the proposed pavilion) would be accessed by the Trust to support the proposal. This funding would not be accessible by the Council. It is possible that the Council may be required to be party to grant funding bids and permit charges to be placed on the land title to secure the same.

Legal and Human Rights Implications

- 5.5 All legal documentation will be issued by the Director of Law and Democratic Services in consultation with the Head of Property Assets in order to protect the Council's interests. There are no known human rights implications and it is believed the recommendations are compatible with Convention rights.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.6 Council staff currently manage the StreetSmart activities at the Grounds and any implications to this will be considered as part of the project delivery. There is no immediate change proposed to the staffing arrangements. There is the potential for this project to increase sport and leisure patronage in the Borough by

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improving facilities to aid the Councils health and wellbeing agenda. Increased use and presence of organised activities at the Grounds could result in a reduction in crime and disorder in the immediate area.

Diversity Impact Assessment

- 5.7 A Diversity Impact Assessment (DIA) has been completed. No adverse or other significant issues were found. A copy of the DIA can be obtained from the report author.

Risk Management

- 5.8 There are no known risks associated with this proposal.

6. Consultees

- 6.1 The Director of Finance (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

- 6.2 Central Ward Members

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Appendix 1 – Plan

9. Key Decision/Decision in Cabinet Work Programme

- 9.1 This is not a Key Decision