

Committee:	Executive	Agenda Item No.:	13
Date:	16 th June 2008	Status	Open
Category	Decision within the functions of Executive		
Subject:	Creswell Miners Welfare – Sports Ground		
Report by:	Leisure Operations Manager		
Other Officers Involved	Senior Sports Development Officer		
Director	Strategy		
Relevant Portfolio Holder	Social Inclusion		

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities

Sport is an important contributor to the regeneration of the district. It acts as the catalyst for the protection, enhancement and development of the built and natural environment which helps create a positive perception of the area to potential inward investors as well as providing jobs and generating spend in the local economy. An active lifestyle also improves people's health and wellbeing and in particular can help reduce incidents of heart disease, stroke, type 2 diabetes, high blood pressure, obesity and many other health conditions associated with inactivity.

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning

Research shows that physically active young people often behave better, have greater level of concentration and perform better academically. Participation in a new sports activity, becoming a sports coach or running a local sports club can offer opportunities for individuals to learn new skills. Sport also builds personal confidence, raises self-esteem and used positively can play a unique role in developing citizenship, encouraging teamwork and in helping to promote unity amongst different cultures & communities.

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment

Parks, playing fields and other recreational green spaces provide the green lungs for our towns and villages. Sport provides an environmentally sustainable end use for derelict and reclaimed land.

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

Sport is seen as a high priority by residents and our area based approach to service delivery in particular is seen as the most effective and efficient way of meeting the needs of our rural communities.

COMMUNITY SAFETY – Ensuring that communities are safe and secure

Sport has the ability to positively engage with disaffected young people, keeping them from hanging around street corners and out of trouble. Sport also provides opportunities for bringing people together usually in a non-intimidating and fun environment, for breaking down racial and social barriers and for developing tolerance and respect for others and their property.

TARGETS

The facilitation of this project will contribute directly to the delivery of Community Safety, Environment, Regeneration and Social Inclusion priorities and targets within the Council's Corporate Plan i.e. reducing criminal damage, increasing sporting activity for kids to at least 2 hours, increase adult participation rates, increase the number of volunteers in sport and physical activity, deliver creative learning opportunities for children etc.

VALUE FOR MONEY

Working collaboratively is a guiding principle running through our Sports Development strategy and our Facilities Strategy. This approach will enable partners to work more efficiently together by avoiding duplication and waste as well as improving overall effectiveness by working to shared aims² and adding value to each others work.

THE REPORT

Background

Following the closure of Creswell colliery in 1991 and a period of abandonment, Creswell Miners Welfare cricket ground site including the bowling green and allotment was leased by Welbeck Estates to Creswell Regeneration Trust for a term of 99 years under the terms of a section 106 agreement dated 8th February 1999. The view held at the time was that they were in a strong position to source grant funding for development of the site. In 2002 part of the allotment land was surrendered by the CRT to Derbyshire County Council for the development of a youth club. This was approved by an amendment to the section 106 agreement dated 13th June 2002.

There were 2 clauses in the S106 agreement that stated:

- 1) If the CRT could not source the necessary funding to develop the site or
 - 2) If the CRT ceased to exist,
- then Welbeck Estates would terminate the lease with CRT and offer a new lease to Bolsover District Council..

Creswell Regeneration Trust will cease to exist shortly, therefore Welbeck will offer a new lease to the District Council in accordance with the S106 agreement.

Current situation

Following the local elections in May 2007, Elmton with Creswell Parish Council committed to a number of projects, one of them being a ***Sports and Arts in the Community*** project. The Parish Council have conducted consultation in the community to establish the local needs and wants, amongst the consulted were – Schools & teachers, youth club, village forum and the general public. The Parish also discussed their ideas with the Youth Service, PCT, Derbyshire Sport and Police who have all made supportive comments.

The project's aim is to 'increase a desire to excel in sports & arts activities within the young people of the community'. The Parish propose to achieve this by bringing facilities up to a high standard, provide coaching across a number of activities and create clubs/groups with a view to them ultimately becoming self sustaining activities.

The Parish hope to create & deliver this programme of activities and coached sessions at various venues on a partly funded basis i.e. The 1st year activities will be free in order to generate interest and maximum attendances, the 2nd year activities would be partly funded and in year 3 the activities would be paid for by the customers fully.

The Parish feel that this is a long term project and will take around 5 years to come to full fruition. It is hoped that the youngsters being coached in years 1 & 2 of the project will become the coaches in subsequent years – it is felt by the Parish that this approach not only benefits sustainability of the project but also adds to a sense of community pride.

The Parish Council believe that they can enhance their chances of attracting funding to support the project by holding the lease on the former Miners Welfare Cricket Ground. Although the Parish owns other areas of land for sport, they feel it is insufficient for them to fulfil the needs of the project they have developed.

Bolsover District Sports Development Strategy

Our strategy explains that Sports development is about putting in place the building blocks and creating the right conditions so that sport can flourish at all levels. It introduces people to sport, teaches them the basic skills and gives them the opportunity to participate at their own level, whether this be a game of Sunday morning football or representing your country.

As a rural area without large centres of population the community relies on a strong network of schools, village halls, miners welfares and community centres where some level of sports activity can take place.

Parish Councils and Miners Welfares, as key providers of neighbourhood sports and recreational facilities across the District, are often too small to raise the investment to maintain and improve these facilities from their annual precepts and many lack the expertise or time needed to secure funding from other sources such as the lottery.

STRATEGIC GOALS

- Increase participation in sport
- Improve levels of performance in sport
- Use sport to improve quality of life

Some of our KEY OBJECTIVES

- Help develop a network of good quality and locally accessible neighbourhood sports facilities.
- Help our sport clubs to become stronger.
- Help enable our gifted and talented players to reach their full potential.

- Use sport to deliver neighbourhood renewal and regeneration priorities.

Bolsover District Arts Strategy

Bolsover District is in the process of reinventing itself following the decline in traditional industries and the Arts are well-placed to play a role in its regeneration. The arts can deliver effective partnerships which combat health inequalities in specific wards, youth exclusion, environmental unattractiveness and a lack of learning opportunities. There are opportunities, for example, to improve wellbeing through dance development in collaboration with regional dance agencies, or to build on alliances with Primary Care Trusts in the District.

Arts Development within the District includes a wide range of **priorities**:

- maximising audiences
- ensuring access across the geographic area
- public art and environmental improvements
- voluntary sector capacity building
- increasing participation of local people
- maximising formal and informal education through creativity
- developing partnerships with non-arts agencies
- leveraging additional funding in support of local resources

Some of the **aims** of the Council in preparing this Arts Strategy are:

- to enhance the quality of life for people living and working in the district
- to contribute to the development of leisure, tourism, environmental improvement, healthy living, , life long learning , community safety and employment growth in the district
- to develop new opportunities for local people to experience the arts
- to actively encourage the participation of current and non-users in arts activities and events, and give people access to arts that are already happening in the district and its surrounding areas
- to support local creative initiatives in the voluntary sector
- to ensure the staffing structure and resources available to the district are at a level to deliver the aims of the strategy and to develop the necessary partnerships

- to assist access to funds for arts development through sponsorship, grant making trusts and foundations, European funding sources, the National Lottery and other grant aiding bodies
- to maximise the use of existing and emerging arts facilities such as the Building Schools for the Future programme
- to become a respected partner in strategic arts development, brokering agreements, collaborations and partnerships with County and regional agencies.
- to celebrate the achievements and strengths of the area's creative programmers and raise the profile and reputation of the arts in the District.
- To ensure the District is well placed to respond to regional initiatives such as the development of the Creative Partnerships programme

Building Schools for the Future Programme

Building Schools for the Future was launched by DfES in 2003 with the aim of transforming education by rebuilding or renewing every secondary school in England over a 15 period.

In light of this significant capital investment, consideration has been given to the opportunities BSF could present for Bolsover District and partnership working.

There are a number of exciting possibilities for joining up services and Bolsover District Council has keenly confirmed its commitment to BSF and is contributing to the development and implementation of the programme to effectively achieve the government's vision of schools being at the heart of the community.

Strategically, Bolsover District Council has recognised that its secondary schools provide the most realistic and effective way of meeting the physical activity, social and cultural needs of its residents. Each secondary school is well placed to act as the local physical activity, social and cultural 'hub' providing a District wide network of area based community facilities.

Bolsover, Heritage, Shirebrook & Stubbin Wood, Tibshelf and Frederick Gents secondary schools will all benefit from the programme and from the network of 'hubs' which is made up of all 5 of the Districts secondary schools.

The programme is very much a partnership approach to achieving a multitude of outcomes that are common to the betterment of the community at large.

How does the Parish's *Sports and Arts in the Community Programme* fit in?

One of the key barriers to participation in sport, cultural and leisure activities is the availability of suitable facilities at an affordable price.

In an attempt to tackle this and other barriers to participation, this Authority has developed a number of strategies and worked collaboratively on many projects.

Both the District Arts Development Strategy and the District Sports Development Strategy along with the Building Schools for the Future Programme, place great emphasis on:

- collaboration,
- partnership working,
- empowerment,
- increased opportunity,
- support of the voluntary sector,
- improved access,
- better facilities,
- enhanced quality of life,
- increased participation,
- development of a network of facilities,
- help given to clubs & other voluntary organisations to become sustainable and strong.

By working in partnership with other agencies, many benefits can be gained:

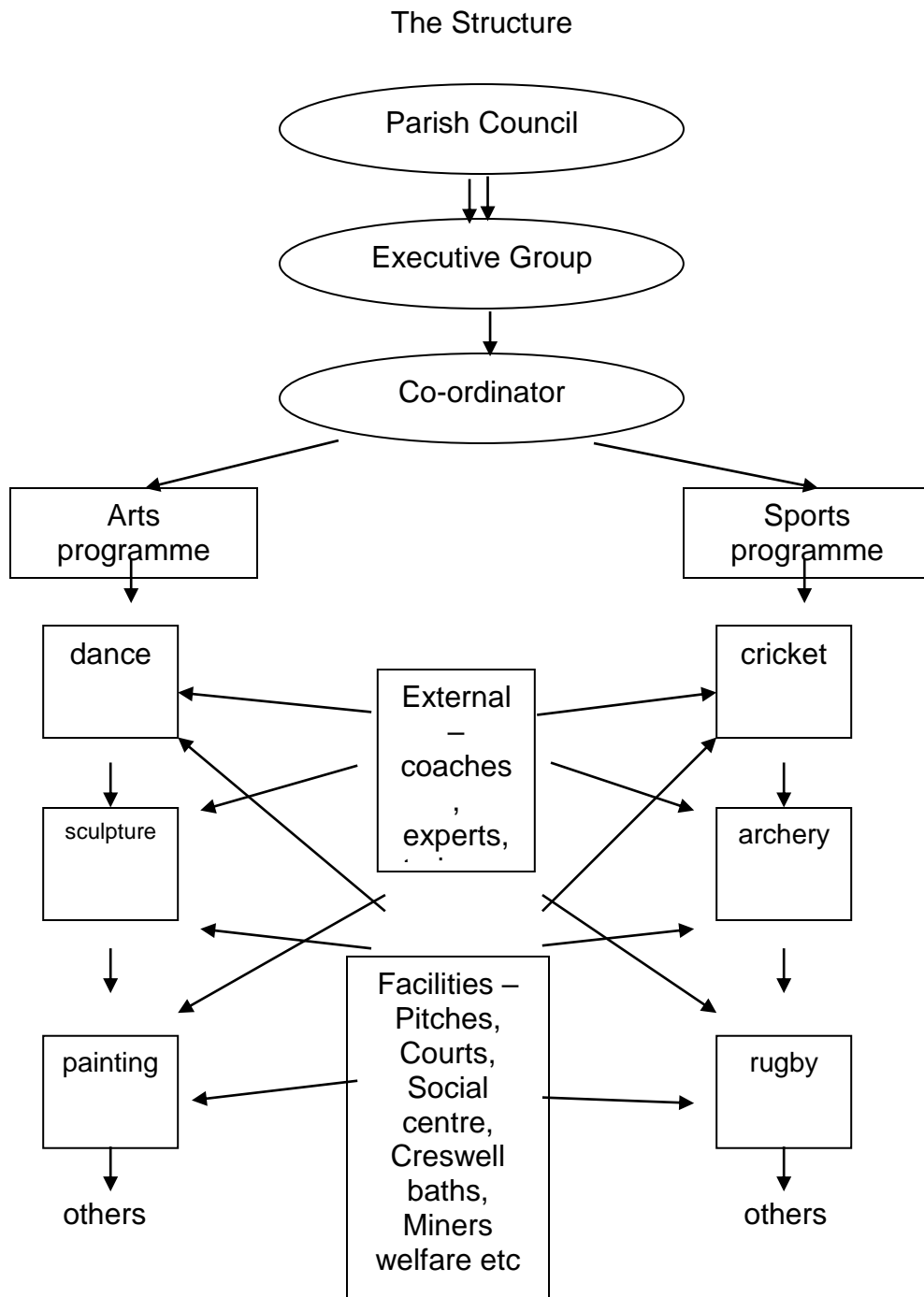
- Partnership working allows services to be delivered in a joined up way. This has benefits both strategically, in terms of providing a well-balanced service and operationally in terms of pooling resources
- Bringing together the various parts of service delivery provides a unique opportunity to develop new and innovative approaches to service provision
- Economies of scale can be achieved as service providers pool not only resources, but effort and managerial time
- Through coming together and focusing on a common goal, a shared vision is formed of what partners want to achieve and how they want to achieve it
- Partnership working co-ordinates action between organisations which can provide additional momentum to get things done
- Partnership working also allows many organisations to access funding

Elmton with Creswell Parish Council could be described as proactively seeking to improve the sports and arts provision in their community through their ***Sports and Arts in the Community Programme***.

This proposal fits well with the District Council's approach to working in partnership to achieve common objectives:

- Removing barriers to participation.
- Increase participation in Sports and Cultural activities.
- Help develop a network of good quality and locally accessible neighbourhood sports facilities.
- Help our sport clubs to become stronger.
- Use sport to deliver neighbourhood renewal and regeneration priorities.
- Voluntary sector capacity building.
- Levering additional funding in support of local resources.
- To enhance the quality of life for people living and working in the District.
- To develop new opportunities for local people to experience the arts.
- A partnership approach to achieving a multitude of outcomes that are common to the betterment of the community at large.

How does the programme work?



It is envisaged that the programme is structured as above with each activity stream having its own sub-structure with one member from each of these sub structures who sits on the executive group who make decisions and control the

programme. The co-ordinator role is an operational one which manages the scheme and liaises with external organisations.

With the structure in place and the lease for the cricket ground and Bowling Green under their control, the Parish Council hope to provide coaching and participation opportunities for the community to over 21 different activities.

As part of the programme the Parish Council aim to:

- Bring four playing surfaces up to match standard
- Add two hard tennis courts
- Provide a programme of activities & coaches/deliverers for the activities
- Provide the necessary equipment (where needed) to enable the activities to take place
- Develop a number of clubs/activity groups that will after initial support go on to become self sustaining
- Contribute to the development of sports & arts, environmental improvement, healthy living, , life long learning , community safety and employment growth in the community
- Assist the creation of community cohesion & civic pride within Elmton with Creswell Parish

The Parish Council estimate this programme will take 5 years to come to fruition and around £300,000 - £400,000 to fund. It is hoped that funding can be sourced externally, as such a number of applications are being prepared to send to funding bodies such as:

- Lottery
- Coalfields Regeneration Trust
- Landfill tax

As described earlier, the section 106 agreement provides that on completion of the lease to the District Council, Welbeck will pay £18,000 (subject to RPI increase from 22nd April 1998) for sports recreational development or a play area or both on the land and £44,823.79 for ten years maintenance.

Elmton with Creswell Parish Council are hoping that along with the lease for the site the provision in the section 106 agreement for the capital sum of £18,000 and the maintenance/revenue sum of £44,823.79 would also be handed over to the Parish to assist them develop & deliver their programme and allow them to maintain the site in future.

ISSUES/OPTIONS FOR CONSIDERATION

Members are asked to note that within the section 106 agreement associated with this site there are a number of requirements that the Landowner shall meet:

- 1.) The Landowner, prior to the commencement of the sixtieth dwelling shall;
 - a. Provide a children's play area equipped with play equipment to the value of £26,000 or
 - b. Pay a commuted sum to the Council of £26,000 for the development of the play area unless the Landowner has paid to the Council £10,000 before any dwelling was built.

This meant that the Council would receive the £26,000 play area or commuted sum at the trigger point of the sixtieth dwelling or the Council could opt for the £10,000 up front regardless of number of dwellings etc. The decision was taken at the time to receive the £10,000 towards the creation of a nearby play area.

- 2.) In the event the Landowner leases the recreational land to the Council, the Landowner shall:
 - a. Pay to the Council a sum of £18,000 (index linked) towards the provision and development of sporting and recreational facilities or play area or both.
 - b. Pay to the council the sum of £44,834 for any maintenance of the land for ten years from the date of the lease.

Members are asked to note that there are several options to be considered for an 'in principle' decision to be reached. Members could decide:

- To keep the lease and allow the District Council to produce a development plan for the site internally.
- To keep the lease and put in place a management agreement with Elmton with Creswell Parish Council for them to develop their **Sports and Arts in the Community** project. (The District Council would still be Lessee – however this could affect the amount of funding that could be levered in by the Parish if they do not hold the lease)
- To keep the lease but sub let to the Parish for them to develop their **Sports and Arts in the Community** project. (The sub lease could contain a 'surrender' clause which would afford the District Council some control. The longer the lease – the better in terms of funding opportunities for the Parish Council)
- To assign the lease fully to the Parish for them to develop their **Sports and Arts in the Community** project. (This would mean very little control from the District Council perspective – however this would be the best

position for the Parish Council from an external funding opportunities perspective)

If it were to be decided 'in principle' that the land should be handed over subject to a management agreement, sub lease or assigned fully to the Parish, consideration would need to be given to the length & type of arrangement that would be put in place and how the sums included within the S106 agreement would be administered.

Members should be aware that the planning department are currently assessing an application to renew planning permission for this site and the sums and land referred to will need to be reviewed as part of the new section 106 agreement. This could mean that the Capital & Maintenance sums & other lease conditions could change.

Members should note that if the District Council were to hand over the land to the Parish Council an amendment would be needed to the current section 106 agreement which could require a decision by Planning Committee.

If it were to be decided 'in principle' that the land will be leased to the Parish, Members may wish to consider the requirement of a 'surrender' clause which would enable the District Council to terminate the lease in the event that the Parish became unable to fulfill their project aims which would be detailed in the lease. A similar clause could be considered if in the future the value of the land changed significantly by virtue of change of use being granted for example, where the District Council could expect a proportionate % of that new value in return.

Members are asked to consider comments from the District Council's Senior Valuer:

The land contained within the lease amounts to approximately 7.37 acres. The land is generally flat and is mostly laid to grass. The area marked on the Ordnance Survey plan (attached) as cricket ground is currently used as two football pitches. The area to the north of this is currently fenced off with a modern metal fence. There is also a bowling green with club house and car park and a further area to the rear of the former Miners Welfare that could also be used for parking with some work being undertaken.

Generally, land for recreational use or open space commands a value in the region of £5,000 to £10,000 per acre. As there is a potential to gain an income from the land through the hire of football pitches and bowling green I would suggest a figure based on £7,500 per acre. This would give a value of the leasehold of approximately £55,000.

IMPLICATONS

Financial:

There are substantial sums relating to the site via the section 106 agreement.

There is an opportunity for leveraging in very substantial amounts of funding from external agencies via the Parish's proposed programme if they held the lease.

Leisure services could benefit by being commissioned to provide coaches for the activities.

Legal:

If the District Council were to hand over the land to the Parish Council an amendment would be needed to the current section 106 agreement which could require a decision by Planning Committee.

Human Resources:

If the land were to be handed over to the Parish for them to develop their ***Sports and Arts in the Community*** project, District Council resources could be utilised elsewhere.

RECOMMENDATION(S)

That (1) the report be received,

(2) Executive approves 'in principle' the hand over of the Creswell Miners Welfare Cricket Ground site including Bowling Green to Elmton with Creswell Parish Council to be used for recreational purposes only. (subject to Planning Committee views)

(3) Executive approves 'in principle' that along with the hand over of the site, the provision in the section 106 agreement for the capital sum of £18,000 and the maintenance/revenue sum of £44,823.79 would also be handed over to the Parish to assist them develop and deliver their programme and allow them to maintain the site in future.

(4) Executive approves that any further funding arising from a new section 106 agreement should be subject to a further report.

(5) Executive approves 'in principle' that a 'surrender' clause in relation to the Parish Council's possible failure to achieve the project aims, should be

negotiated by the District Council Senior Valuer & delegated powers given to the Director of Strategy in consultation with the Chief Executive Officer, Leader of the Council, Deputy Leader of the Council & Portfolio Holders for Social inclusion and planning, to agree terms of 'clawback' provision.

(6) Executive approves 'in principle' that a 'claw back' clause in relation to the value of the land significantly changing in future, should be negotiated by the District Council Senior Valuer & delegated powers given to the Director of Strategy in consultation with the Chief Executive Officer, Leader of the Council, Deputy Leader of the Council & Portfolio Holders for Social inclusion and planning, to agree terms of clawback provision.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To consider various options for the future control and management arrangements of the former Creswell Miners Welfare Cricket Ground and Bowling Green site.

ATTACHMENTS: Plan of the site
FILE REFERENCE: None
SOURCE DOCUMENT: Background papers held by the Leisure Operations Manager.