

Committee:	Executive	Agenda Item No.:	9.
Date:	2 nd August 2010	Status	Open
Category	Decision within the functions of Executive		
Subject:	Shirebrook Model Village Sports Ground		
Report by:	Head of Leisure		
Other Officers Involved	Special Projects Officer		
Director	Director of Neighbourhoods		
Relevant Portfolio Holder	Councillor Ann Syrett, Portfolio Holder for Arts & Leisure		

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities

Contribute to improving the health of the District. Develop vibrant town centres. Develop flourishing rural communities.

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning

Ensure all our services are provided in a fair and equitable manner. Promote the development of skills and learning within communities.

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment

Protect, enhance and improve the natural and built environment in a sustainable way.

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

Strengthen community consultation and involvement. Design and deliver services to meet the needs of customers.

COMMUNITY SAFETY – Ensuring that communities are safe and secure

Tackle Anti Social Behaviour (ASB) and its causes.

TARGETS

To improve the opportunities for investment and future development of this open space whilst promoting healthier lifestyles and regeneration priorities with the Council's Corporate Plan.

VALUE FOR MONEY

If options 2 or 3 of this report are agreed the Authority will reduce the costs associated with the management and maintenance of the site whilst helping to create a management group that could help facilitate future investment and improvements for the site which will benefit the wider community.

THE REPORT

Background

Shirebrook Model Village Recreation Ground Welfare Scheme is a registered charity (No. 520506) of which Bolsover District Council is the trustee.

The Council has passed its responsibility for the operation of the site to a management committee comprising users of the site. A management agreement to this effect was produced in 2005. The management committee is responsible for day to day management of the ground (such as grass cutting, line marking, winter maintenance, etc.) and quarterly committee meetings are held at which the Council is represented.

The recreation ground has been the home of Shirebrook Cricket Club for over 100 years, although in recent years the use of the cricket pitch has dwindled and football had become the main sport played on the ground. In 2004 as part of the Bolsover Improving Playing Pitches Initiative (BIPPI) the original cricket pavilion and score box was demolished and replaced with a prefabricated changing facility, which was at best a compromise that would allow the use of the ground for football and cricket.

Over the last couple of years the cricket club has seen a resurgence in interest and is looking to re-establish league cricket on the ground to the standard required for the Bassetlaw league. To this end the cricket club has levelled and re-seeded the pitch and is actively working to develop a new cricket pavilion, as a dedicated cricket pavilion will be required to meet league criteria.

The cricket club has had a pavilion designed and has been applying for funding for its construction. However, in order to secure significant funding it is necessary to provide evidence of ownership or security of tenure in the form of a lease of at least 21 years.

Over a period of several months the matter has been discussed with CISWO (ultimately the owners of the site), Bolsover District Council's Legal Services, the cricket club and the Charity Commission.

Under the current arrangements it is not possible to simply grant a lease to the cricket club. It would be necessary for Bolsover District Council to relinquish its trusteeship and for this to be passed to another party, acceptable to CISWO and the Charity Commissioners, with similar aims and objectives and for the charitable objects to remain the same.

Current Position

We have explored the options open to us to help resolve this issue, and have held lengthy discussions with the Charities Commission. Unfortunately the wheels turn slowly, therefore concerns from interested parties have been raised and frustrations expressed at the time that is being taken to move this forward.

The issues that we need to consider are:

- The Management Agreement (effectively passing on the Council's obligations as trustee to another body) may be subject to legal challenge by CISWO
- The implications for the current management committee
- The site is not owned by Bolsover District Council (CISWO)
- The suitability of current facilities is thought to be not appropriate
- There is a desire to develop the site and facilities amongst the users and other interested parties
- In order to attract funding, the clubs need lengthy security of tenure – something we can't offer under the current arrangement
- Bolsover District Council has a very small budget for the maintenance & development of such sites at present
- The current users of the site have slightly different perspectives in terms of the future of the site and their own ambitions
- There could be/should be more community involvement in the management of the site
- There is an existing need for a community facility for use by Shirebrook Model Village Residents Association / community groups

In the meantime, the ground continues to be managed by the management committee, but the recent discussions with CISWO, the Charity Commission and others have highlighted a number of issues with the management of the site. Whatever course of action is agreed, it is likely that the current management committee will have to be dissolved.

ISSUES/OPTIONS FOR CONSIDERATION

The recreation ground is currently managed via a management committee that Bolsover District Council is an active member of.

Although the Council doesn't 'own' the ground, it is the managing trustee, so is legally responsible for the ground.

There are a number of options for the future management of the site. These are:

1. **Bolsover District Council manages the ground as it would any other 'Leisure' site, such as Castle Leisure Park.** This would have ongoing revenue implications, e.g. grounds maintenance and would probably result in a reduction of external funding opportunities that are open to clubs and community groups etc.
2. **A new legal entity be formed that in time becomes the majority trustee.** This could satisfy all parties as the committee would comprise representatives of all users. It could also expand its remit to cover the neighbouring Coronation Drive Recreation Ground. However, this option needs to be investigated further.
 - a. Bolsover District Council included as a trustee (possibly 1 of 7) – this option is likely to be the easiest and quickest way to change from the current arrangements. Whilst Bolsover would still be a trustee, it would become a minority trustee and the responsibility for the management and development of the site would be that of the group of trustees – not as it stands at present Bolsover District Council alone, this would effectively mean the trustees would;
 - i. Undertake the day to day management and operation of the site.
 - ii. Undertake any repairs and maintenance of the site.
 - iii. Administer income and expenditure for the site.
 - iv. Administer the bookings and lettings of the facilities.
 - v. Apply to various funding sources to further develop the site.

The club's and Residents Association representatives have expressed this option as their preferred choice. Bolsover District Council would still have some responsibility within the scheme – this would involve officers attending trustee meetings etc.

- b. Bolsover District Council to relinquish trusteeship – This option would remove any responsibility for the site from Bolsover District Council.

Part of the plans to develop the sites facilities may include the need to relocate the current football changing pavilion to the neighbouring Coronation drive Recreation Ground which is owned by Shirebrook Town Council. The

Head of Leisure Services presented this option recently to Shirebrook Town Council who welcomed the suggestion and supported the proposal. The Head of Leisure has also approached Shirebrook Town Council with a view to the possibility of them becoming a trustee on the newly formed board should this become the preferred option for the future management of this site, a response is still awaited.

IMPLICATONS

Financial:

Option 1 would cost approx. as follows if Bolsover District Council took back the management of the site.

- Land management = £1500 - £2000 p.a.
- Repairs and maintenance = £3000 - £4000 p.a.
- Water & Electricity = £1000 - £1500 p.a.
- General management and administration = £2000 - £3000 p.a.

This would effectively mean an increase of between. £7500 - £10,000 p.a.

It is also important to recognise that this site is in need of considerable capital investment for infrastructure.

However this option would also generate income in the region of £2000 - £3000 pa

Option 2a would effectively mean Bolsover District Council would have no direct further financial or other responsibility for the site except in its capacity as minority trustee. The management and development of the site would be the responsibility of the new legal entity. It must be noted however that this arrangement could have the potential to create a reliance on Bolsover District Council's resources if not managed correctly.

Option 2b would effectively mean Bolsover District Council would have no further financial or other responsibility for the site.

Legal:

Option 2a & 2b would require legal intervention to assist the transfer of trusteeship etc.

Human Resources:

The Head of Leisure and the Special Projects Officer have already spent a considerable amount of time on this project during the last 18 months. Further time will be required to resolve the current issues whichever option is pursued, however should either option 2a or 2b be the favoured approach, then future resource requirements would be limited.

RECOMMENDATIONS that

- (1) the report be received,**
- (2) Executive approves the Head of Leisure to pursue options 2a or 2b to resolution dependent upon the decision of Executive.**

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To agree the future management arrangements for Shirebrook Model Village Sports Ground. To improve the opportunities for investment and future development of this open space whilst promoting healthier lifestyles and regeneration priorities with the Council's Corporate Plan.

ATTACHMENTS:

FILE REFERENCE: None

SOURCE DOCUMENT: Background papers held by Head of Leisure.