

Agenda Item No: **Report No:**

Report Title: **Stanley Turner Trust – Proposals for Future Management Arrangements**

Report To: **Council** **Date:** **8 December 2010**

Lead Councillor: **Cllr James MacCleary**

Ward(s) Affected: **All Lewes**

Report By: **Director of Finance & Community Services**

Contact Officer(s): **Owen Clifford, Community Services Manager**

Purpose of Report:

To present to the Trust a proposal for changes to the current management arrangements following a meeting between Council Officers, Councillors and representatives of the Lewes Rugby Football Club (LRFC).

Officers Recommendation(s):

- 1 That the Trust approve in principle the proposals contained within “project turnaround” as put forward by Lewes Rugby Football Club.
- 2 That the Trust authorise the council’s Director of Finance & Community Services and the Head of Legal and Democratic Services to develop the proposals further with LRFC and other interested parties and to provide a detailed report to a future meeting of the Trust evaluating the proposals in detail and making specific recommendations as to their potential implementation.

Reasons for Recommendations

- 1 The Trust has a duty to manage the Stanley Turner Recreation Ground for the benefit of the local community and at all times doing so within the best interests of the Trust. The proposals received from the LRFC provide the opportunity to explore how the current management arrangements might be broadened to include wider community representation, along with the potential to improve the physical facilities by attracting additional external investment.

Information

2 Background

Stanley Turner Recreation Ground

- 2.1 The Stanley Turner Recreation Ground is located adjacent to the C7 Kingston Road on the periphery of Lewes. It is an 8.9 Ha site consisting of grass sports pitches (Rugby, Cricket and Football), a sports clubhouse and changing pavilion, a spectator stand, a children’s play area, farmland

(subject to a separate lease agreement) and natural meadowland forming part of an adjacent Site of Special Scientific Interest (SSSI) leading into the Ouse valley.

- 2.2** The land is the subject of a Charitable Trust established by deed on the 4 April 1934 with the following stated object:

“That the Corporation “(ie the council acting as trustee)” will forever hereafter support maintain and improve the said land as and for the purposes of a Public Recreation Ground.

That it shall be used for the purposes of a Public Recreation Ground and for no other purpose.”

- 2.3** The Council, as an entity, is the sole trustee of the Trust. This means that when considering any matter which might affect the recreation ground, councillors must always act in the best interests of the Trust.
- 2.4** The day to day management of the site is undertaken by Lewes District Council (LDC) through officers within the Community Services division and predominantly delivered by utilising the services of the Council’s grounds maintenance contractor “English Landscapes” (formerly Wyevalles).
- 2.5** LDC manages the site according to the Council’s corporate governance arrangements, although financial reporting requires separate accounting arrangements relating to the income and expenditure of the Trust. An annual report is presented to the Trust detailing the financial position.
- 2.6** The Council meets the majority of cost of maintaining the site by effectively making a grant to the Trust to cover the shortfall of expenditure compared to income.
- 2.7** The net cost of this grant for 2009/2010, including payment for service and support costs amounted to £61,051.

3 Future Management Proposals

- 3.1** LRFC has developed a long term development and improvement plan entitled “Project Turnaround” to address what they consider to be key issues relating to the management of the site and the current facilities. These issues are broadly divided into the following elements:
- **Trust Structure** – LRFC feel the current structure consists solely of LDC Councillors, many of whom may have little direct knowledge of the site and how it is managed. LRFC propose a revised structure is adopted to encourage a more localised community input.
 - **Current Buildings** – (club house and changing rooms) are no longer considered ‘fit for purpose’ and need replacing with more modern and accessible buildings that meet sport governing body specifications.

- **Playing Pitches** – LRFC has had a sustained period of successful development of the club resulting in demand for additional playing pitches, particularly as a result of increased junior activity.
 - **Grounds Maintenance** – LRFC feel the current grounds maintenance standards do not fully meet their expectations and they would like the Council to consider LRFC managing the upkeep of the pitches.
 - **Car Parking** – LRFC recognise the current position needs to be addressed with more on site provision created to alleviate the impact of roadside parking upon local residents when events are taking place on the site.
- 3.2** As well as addressing the future physical management of the recreation ground, the proposals seek to overcome some existing barriers to participation and equality of opportunity including access for all and positively encouraging under represented groups, such as women and girls, to take part in Rugby.
- 3.3** Council officers have met with representatives of LRFC over the past 12 months to begin to address a number of these issues in more detail and to identify both the constraints and opportunities to develop them further:
- 3.4** A copy of “Project Turnaround” is included at Appendix A to this report.

Changes to the Trust Structure

- 3.5** LRFC initially requested that the current Trust might be restructured to include a variety of individual trustees, some of whom might be members of LRFC, other sports clubs, Lewes Town Council and groups such as the Kingston Road Residents Association.
- 3.6** However, there are legal reasons why this is not possible. The trustees of any Trust must act in the best interests of that Trust and they must be seen by the wider public to act in the best interests of the Trust. There can be no perception of personal gain or benefit accruing to a trustee and/or any of the trustee’s interests. A trustee of the Stanley Turner Trust could not participate in a decision to grant a lease of land held by that Trust to a Rugby Club or other particular sporting club of which he/she was a member or associate. To do so would be to participate in a decision where they had a conflict of interest.
- 3.7** The suggested compromise would be to establish an “Advisory Group” to inform the Council as Trust as to how the site might be managed in the future and to oversee the day to day operation of the site as part of an agreed management plan. This approach has already been successfully implemented for sites such as the Lewes Railway Land.

Improvements to Buildings

- 3.8** LRFC together with Lewes St Michaels Cricket Club (LSMCC) form “Lewes Sports Club”, who have in turn leased the current clubhouse

sited at the recreation ground. The current lease has expired, but is being held over on existing terms whilst the proposals are further explored. The current clubhouse is a single storey building of wooden construction with a flat roof and was originally constructed in 1979. It is in a fair condition, given its age and construction, but will likely require significant ongoing investment as the roof and external timbers reach the end of their useful life.

- 3.9** The adjacent pavilion is approximately 75 years old and is constructed of wood and brick and forms a distinct “feature” of the site having been erected by the previous site owner who operated a local timber merchants. It comprises a spectator stand overlooking the cricket pitch with changing rooms located on the first floor level and store rooms at the ground level.
- 3.10** The pavilion building is maintained by the Council and is made available on a “pay and play” basis to local sports clubs who hire it through English Landscapes. The building is in a poor condition and due to it’s age does not meet current requirements in terms of providing access for disabled persons and having changing facilities of a sufficient size to comply with the sports governing body requirements.
- 3.11** Also, the overall size of the building compared with the number of adjacent pitches, limits the number of consecutive teams that can access the building and this has led on occasion to their being more teams requiring use at one time than has been possible to accommodate.
- 3.12** Council officers have identified there are backlog maintenance repairs valued at £160,000 for the building and this has led to the Council including this sum within the current capital programme.
- 3.13** Some £66,000 of works have already either been completed or committed with the agreement of the clubs to address what are considered to be urgent works relating to health and safety issues and to prevent further significant deterioration to the fabric of the building. This leaves £94,000 uncommitted and LRFC would like this to be set aside as a potential “match funding” sum to allow them to seek external grants and other funding to develop potential new facilities.

Pitches.

- 3.14** LRFC has expanded considerably in recent years to accommodate a growing demand for junior teams as well as adult sides. The club has also achieved major league success and is recognised as a well performing club who are likely to continue to expand and develop particularly in response to ongoing youth demand.
- 3.15** A consequence of this as well as increasing the need for changing accommodation, there is a need to identify additional playing pitches. Within the Stanley Turner Recreation Ground, there are pitches currently provided for Rugby, Football, Cricket and on occasion Hockey. All of

these pitches are currently used to capacity, the football pitches are hired each week by the by Lewes District Sunday Football League.

- 3.16** LRFC would like consideration given to developing the Recreation ground as a rugby centre of excellence and to work with Council officers to maximise the availability of pitches that could be made available for rugby use.

4 Next Stages

- 4.1** If the Council as Trustee is supportive of the proposals, it is suggested Council officers be authorised to continue dialogue with LRFC and with other interested parties to develop the proposals in detail and assess the full implications and their feasibility and impact.
- 4.2** It is likely the majority of the proposals would, if introduced, take several years to complete and would be heavily dependent upon identifying the financial resource necessary. Some of the proposals however, such as establishing an advisory group, may be able to be introduced more quickly and at relatively low cost.

5 Financial Implications

- 5.1** There are no additional financial implications arising from this report at this stage. Should the proposals proceed, more detailed reports including a full financial assessment will be provided at the appropriate time.

6 Environmental Implications

I have completed the Environmental Implications Questionnaire and there are no additional significant effects as a result of these recommendations.

7 Risk Management Implications

- 7.1** I have completed the Risk Management questionnaire and the following high level key risks have been identified:

Risk 1: LRFC are unsuccessful in securing external funding with which to develop new facilities.

Mitigation: No works on site will proceed until all necessary funding has been secured.

Residual Risk Management: If further urgent works become necessary to maintain the existing facilities, Council officers will seek to reach agreement with the users over the most appropriate solution.

Risk 2: LRFC at some future point ceases to exist or the club committee no longer wish to maintain the site and/or no longer have the capacity to do so.

Mitigation: Potential lease agreement(s) for the facilities and pitches include mutual break clauses including sufficient lead time to allow alternative arrangements to be put in place.

Residual Risk Management: Council officers will continue to monitor the site on behalf of the Trust to ensure the facilities are maintained in line with the conditions contained within any future lease agreement.

Risk 3: Other site users feel marginalised as the site becomes more focused upon the needs of LRFC.

Mitigation: Full consultation will be conducted with all site users and the wider community as part of the process of developing the project proposals. No other site user will be unduly disadvantaged from using the site as it will remain principally a public recreation ground as the key object of the Trust.

Risk 4: The proposals for further development of the site raise planning issues which may be difficult to resolve.

Mitigation: If and when development proposals arise, they should be discussed at a formative stage with the lead planning authority, so that any difficult planning issues can be identified, addressed and mitigated. The site is within the South Downs National Park and adjoins an SSSI. The National Park Authority will be the planning authority for this area from April 2011.

7.2 Additional risks are likely to be identified as the proposals are developed further and more detail emerges. These will be considered and reported to the Trust at the appropriate time.

8 Background Papers

Appendix A – Project Turnaround

John Magness
Director of Finance & Community Services
15 November 2010