

2 July 2019

Community and Health Committee

Larkin's Playing Fields

Report of: *Kim Anderson, Partnership, Leisure and Funding Manager*

Wards Affected: *Pilgrims Hatch*

This report is: *Public report*

1. Executive Summary

- 1.1. A report to the 5 March 2018 Community Health and Housing Committee (min.ref. 292) and 4 July 2018 Community Health and House Committee (min.ref. 68) considered options for Brentwood Youth Athletic Football Club around their occupation of Larkins Playing Fields. Larkins Playing Fields is designated public open space and has a number of restrictive covenants placed on it as part of the deed of gift when the site was given to the Council by the Larkin family. The Council has drawn a draft partnership agreement (Appendix A) which set out the roles and responsibilities for the club and Brentwood Borough Council. The partnership agreement will also help secure external funding through joint applications to improve the facilities on the site. It is also recommended that the Council prepare and submit a planning application to increase the available car parking on the site.

2. Recommendations

- 2.1 That Members agree the draft 5 year partnership agreement between Brentwood Borough Council and Brentwood Youth Athletic Football Club; and for officers to implement the partnership; and that**
- 2.2 Subject to that agreement, Officers prepare report for submission to Policy Resources and Economic Development Committee setting out the costs, resources and planning application required to complete the extension to the existing car park for Committee's approval**

3. Introduction and Background

- 3.1. The Council has been approached by Brentwood Youth AFC (which is a merger of Kelvedon Hatch Football Club and Brentwood Athletic Football Club) over their proposals for improvements at Larkin's Playing Fields. In particular improvements to the existing car park, improvements to the playing pitches and the construction of a new pavilion building.

- 3.2.** Officers and the Chair of Community Health and Housing Committee met with representatives from the club to discuss their proposals in August 2017.
- 3.3.** While in principle the Council is supportive of improvement to the facilities, there were a number of considerations that also needed to be considered as there is an existing Covenant (1928) in place which sets out the restrictions for Larkin's Playing Fields as follows:
- a) 'used as a Recreational Ground or Sports, or Cricket Field for the benefit of the young persons of the Town of Brentwood, aforesaid, be called 'Larkin's Field' and for no other purpose'
 - b) 'Not ever permit to be erected upon the said property hereby conveyed or any part hereof any dwelling house or other building or erection except as may be necessary to enable the said property to be enjoyed as a recreation ground or sports or cricket field.
- 3.4.** In order that Brentwood Youth AFC can secure external funding to improve the facilities at Larkin's Playing Fields, external funders such as the Football Association require a commitment from the landowner (Brentwood Borough Council) that they will support their improvement plans and provide the club with long-term tenure at Larkin's Playing Fields.
- 3.5.** As the site is also designated and maintained as public open space the Council would not be able to issue a lease for the whole site.
- 3.6.** Subsequently a meeting was held between the Council and representatives of the Club to look at alternative options which would the objective of the club and support the Council in improving leisure facilities.
- 3.7.** It was agreed that to progress the situation the Council would draft a partnership agreement that both the club and the Council could agree to.

4. Issues, Options and Analysis of Options

- 4.1.** The key issues identified with the site were improvements to the playing pitches, improvements to the car parking facilities and construction of a new pavilion building which will provide changing facilities for the football teams.
- 4.2.** It is proposed that subject to Members agreement on the Partnership Agreement (Appendix A) that a joint long-term management and action plan is developed for the site to facilitate these improvements.

- 4.3.** The Partnership Agreement sets out the objectives of the partnerships, the membership, roles and responsibilities, frequency of meetings, communication, financial arrangements and how often the partnership is reviewed.
- 4.4.** Currently there are issues with cars parking along Ongar Road during football matches which impacts on the both pedestrians and road users. One of the first issues for the partnership is to look at how the car parking can be improved on the site to reduce users parking on Ongar Road. It is proposed that subject to Member's agreeing to the Partnership Agreement, that officers prepare and submit a planning application to extend the existing car park on the site.
- a) It is recommended that a joint improvement plan for the entire site is also developed so that the club can work in partnership with Brentwood Borough Council and the Football Association to further improve the facilities.
 - b) Subject to all permissions and contracts being agreed, that a separate maintenance agreement for ongoing maintenance of the site is drafted and agreed with Brentwood Borough Council and Brentwood Youth AFC.
- 4.5.** As Larkin's Playing Fields is a council owned asset it is recommended that prior to any changes to facilities (e.g. extension to the car park and installation of a new pavilion building) that a report is referred to the Policy, Resources and Economic Development Committee for Members consideration.

5. Reasons for Recommendation

- 5.1** One of the key recommendations in the Council's Leisure Strategy is the improvement to leisure facilities across the Borough and working in partnership to deliver the expected outcomes from the Strategy. Comments received from Sport England as part of the Local Development Plan consultation, stated that a Leisure Strategy is required that assesses Council owned sports and leisure facilities in order that the Council can continue to work with partners to ensure that appropriate provision is made for the residents of Brentwood. The strategy should not only consider how the Council can provide services, but also how other partners can. The strategy should also use current sports facility evidence to identify strategic priorities to then inform what will be included in the Council's Infrastructure Delivery Plan. Following this feasibility work, the Council will then be able to determine which projects will be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.
- 5.2** The Council's Asset Management Strategy 2014/15 also sets out the need to obtain maximise income where possible from its asset portfolio.

6. References to Council Priorities

The Leisure Strategy sits under two main strands of the Vision for Brentwood 2016-19: Environment and Housing Management to develop a Leisure Strategy to provide strong and sustainable leisure facilities for residents and businesses; and Community and Health - to work with community and voluntary organisations to develop the priorities for community development. There are also strong links for the priorities of the Council's Health and Wellbeing Strategy 2014-2017, the Local Development Plan, Active Brentwood/Essex and the Council's Asset Management Strategy 2014/15.

7. Implications

Financial Implications

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- 7.1 One of the key drivers for the Leisure Strategy is to reduce the Council's current revenue and capital costs on its leisure facilities and ensure that they are affordable, sustainable and fit for purpose for the future requirements.
- 7.2 If Members agree for Officers to prepare and submit a planning application for the extension to the existing car park then costs are £234 which will be met from existing budgets.
- 7.3 Any costs for the installation of the larger car park will need to be identified before any works commence and it is recommended that subject to planning approval a report is submitted to Policy Resources and Economic Development Committee.

Legal Implications

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- 7.4 The recommendations set out within this report are within the Council's powers and duties. The Council has power under s1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to public law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power in this way. In addition, s111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

Any agreements relating to the establishment of the partnership should be in a form approved by Legal Services.

Any procurement exercise relating to the development must be carried out in compliance with EU directives, UK procurement regulations and the Council's Constitution.

8. Background documents:

Local Development Plan
National Planning Policy framework
Fields in Trust - Guidance for Outdoor sport Play: Beyond the Six Acre Standard

9. Appendices to this report.

Appendix A - Draft Partnership Agreement

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