



CABINET

Monday, 18th June, 2012

7.00 pm

Town Hall Watford

Publication date: 8 June 2012

CONTACT

If you require further information or you would like a copy of this agenda in another format, e.g. large print, please contact Pat Thornton Democratic Services Manager on 01923 278372 or by email – legalanddemocratic@watford.gov.uk .

Welcome to this meeting. We hope you find these notes useful.

ACCESS

Access to the Town Hall after 5.15 pm is via the Customer Service Centre.

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TOILETS (including disabled)

Toilets are situated on the first floor, near the Committee Rooms.

FIRE/EMERGENCY INSTRUCTIONS

In the event of a fire alarm sounding, vacate the building immediately following the instructions given by the Democratic Services Officer.

- Do not use the lifts
- Do not stop to collect personal belongings
- Go to the assembly point at the Pond and wait for further instructions
- Do not re-enter the building until authorised to do so.

MOBILE PHONES

Please ensure that mobile phones are switched off before the start of the meeting.

CABINET MEMBERSHIP

Mayor	D Thornhill	(Chair)
Councillor	D Scudder	(Deputy Mayor)
Councillors	K Crout, I Sharpe and M Watkin	

AGENDA

PART A - OPEN TO THE PUBLIC

1. APOLOGIES FOR ABSENCE

2. DISCLOSURE OF INTEREST (IF ANY)

3. MINUTES OF PREVIOUS MEETING

To sign the minutes of the meeting held on 20th March 2012

4. CONDUCT OF MEETING

The Cabinet may wish to consider whether there are any items on which there is general agreement which could be considered now, to enable discussion to focus on those items where the Cabinet sees a need for further debate.

5. HERTFORDSHIRE POLICE AND CRIME PANEL (Pages 1 - 18)

Report of Head of Legal & Property Services

6. ALLOTMENTS FRAMEWORK AND STRATEGY UPDATE (Pages 19 - 24)

Report of Head of Community Services

7. WATFORD HEALTH CAMPUS PROGRAMME UPDATE AND PROPOSED SITE ASSEMBLY DEVELOPMENT (Pages 25 - 34)

Report of Watford Health Campus Development Director

Appendix A to this report is not for publication (paragraph 3 Schedule 12A)

Appendix B is a map of the area which will be on display at the meeting

8. REVIEW OF THE OUTCOME OF THE SPORTS FACILITIES STUDY LEADING TO ACTION ON SPECIFIC ISSUES RELATING TO 3 KEY PARTNERS. (Pages 35 - 86)

Report of the Managing Director

9. EXCLUSION OF PRESS & PUBLIC

THE CHAIR TO MOVE: that, under Section 100A (4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during consideration of the item there would be disclosure to them of exempt information as defined in Section 100(1) of the Act for the reasons stated below in terms of Schedule 12A.

NOTE: if approved, the Chair will ask members of the press and public to leave the meeting at this point.

10. REVIEW OF THE OUTCOME OF THE SPORTS FACILITIES STUDY LEADING TO ACTION ON SPECIFIC ISSUES RELATING TO 3 KEY PARTNERS.

Report of Managing Director

Paragraph 3 Schedule 12A.

11. CHARTER PLACE RE-DEVELOPMENT

Report of Managing Director - **to follow**

Paragraph 3 Schedule 12A

PART A

Report to: Cabinet
Date of meeting: 18 June 2012
Report of: Head of Legal and Property Services
Title: Hertfordshire Police and Crime Panel

1.0 SUMMARY

- 1.1 To advise Cabinet of progress on establishment of the Hertfordshire Police and Crime Panel and recommend that:
- A The Cabinet agrees the proposed arrangements for the Hertfordshire Police and Crime Panel as a joint committee of the Local Authorities as defined in Section 28 of the Police Reform and Social Responsibility Act 2011.
 - B The Cabinet nominates the Mayor and one substitute to the panel.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that:
- A The Cabinet note the progress to date on establishment of the Hertfordshire Police and Crime Panel
 - B Subject to any amendments required by law and other minor amendments the Cabinet agrees the draft arrangements for the Hertfordshire Police and Crime Panel as a joint committee of the Hertfordshire Local Authorities and delegates final approval to the Head of Legal and Property Services in consultation with the Mayor
 - C The Cabinet appoints the Mayor and one substitute to the panel.

Contact Officer:

For further information on this report please contact: Carol Chen Head of Legal and Property telephone extension: 8350 email: carol.chen@watford.gov.uk

Report approved by: Managing Director

3.0 DETAILED PROPOSAL

3.1 Background

- 2 The Police Reform and Social Responsibility Act 2011 introduced significant changes in police governance and accountability, in particular replacing the Police Authorities with directly elected Police and Crime Commissioners (commissioners).
- 3 The public accountability for the delivery and performance of the police service within each force area will be placed into the hands of the commissioner on behalf of their electorate. The commissioner will draw on their mandate to set and shape the strategic objectives of their force area in consultation with the chief constable. The commissioner will be accountable to their electorate; the chief constable will be accountable to the commissioner.
- 4 The Act also requires the local authorities in each police force area to establish a police and crime panel (panel), as a joint committee, to scrutinise the commissioner. The Act also prescribes many of the arrangements with regard to the panel and the way in which it conducts its business.
- 5 According to the Home Office, "Panels are not a replacement for the police authority. They will fulfil an important role in scrutinising the commissioner but we need to be clear that this reform is about reconnecting the police and the people. This will be achieved through a directly elected police and crime commissioner not through the police and crime panel. The panel will have an important scrutiny role in relation to the commissioner, however it is the commissioner who is taking on the role of the police authority and who the public will hold to account for the performance of their force."
- 6 The panel will have the following duties and powers which must be exercised in accordance with the Act and associated Regulations:
 - the power of veto, by two-thirds majority, over the commissioner's proposed budget and precept;
 - the power of veto, by two-thirds majority, over the commissioner's proposed candidate for chief constable;
 - the power to ask Her Majesty's Inspectorate of Constabulary (HMIC) for a professional view when the commissioner intends to dismiss a chief constable;
 - the power to review the commissioner's draft police and crime plan and make recommendations to the commissioner who must take account of them;
 - the power to review the commissioner's annual report and make reports and recommendations at a public meeting, which the commissioner must attend;
 - the power to require any papers in the commissioner's possession (except those which are operationally sensitive);
 - the power to require the commissioner to attend the panel to answer questions;
 - the power to appoint an acting commissioner (from within the

commissioner's staff) when the elected commissioner is incapacitated or suspended (until she/he is no longer incapacitated or suspended), or resigns or is disqualified (until a new commissioner is elected); and

- responsibility for all complaints about the commissioner, although serious issues must be passed to the Independent Police Complaints Commission (IPCC).

- 7 The Home Secretary has reserve powers to establish a panel and to appoint members to the panel, if any local authority fails to do so, the Home Office require to be notified by 1 July of the arrangements agreed by the authorities and the nominations to the panel so that the Home Secretary can use her reserve powers if necessary.

Developing the panel arrangements

- 8 Heads of Legal Services from the eleven local authorities in Hertfordshire have been overseeing the development of the arrangements for the Hertfordshire Police and Crime Panel.
- 9 It is proposed that the eleven local authorities each agree the panel arrangements, establishing the panel as a joint committee, and appoint their member of the panel before the end of June 2012. This will allow time for the panel to appoint co-opted independent members before the commissioner is elected; agree the panel's rules of procedure; be briefed on relevant issues; and agree the panel's work programme for its first year. Until the commissioner takes office on 22 November 2012, following the election on 15 November 2012, the panel's powers will be limited to those necessary to prepare itself. The Commissioner will be elected by supplemental vote with the Broxbourne Chief Executive as Returning Officer.
- 10 The draft panel arrangements (appendix 1) have been prepared in consultation with officers of the eleven local authorities. Unfortunately the Home Office has not completed subordinate legislation that may impact upon the arrangements. In addition, further work is required to complete the financial arrangements between the authorities.

Panel membership

- 11 In Hertfordshire, the panel will consist of eleven councillors one from each of the local authorities and two independent members (not councillors) co-opted by the panel. As Watford has an elected mayor, she will automatically be nominated to be a member instead of a councillor. All thirteen members will have equal voting rights. When co-opting the independent members the panel must ensure that, as far as is reasonably practicable, the appointed and co-opted members together have the skills, knowledge and experience necessary for the panel to discharge its functions effectively.
- 12 It is proposed that the host local authority will facilitate discussions between the local authorities in order to enable the authorities to fulfil their duty to secure (as far as is reasonably practicable) that the appointed members represent the

political make-up of the local authorities within the police area (when taken together). It is also proposed that the eleven authorities should aim to fulfil this duty as far as possible without resorting to additional co-options to the panel as increasing the size of the panel beyond the core 13 members would increase costs and reduce its effectiveness. Any additional co-options would require the approval of the Home Secretary.

Support for the Panel

- 13 It has been agreed by Leaders that Broxbourne Council will be the host local authority for the panel and, within the overall budget agreed annually by the eleven local authorities, will support the panel and its members. This support will be led by a lead officer from the host authority supplemented as required by additional specialist officers (e.g. finance officers when advising the panel on the commissioner's proposed budget and precept, legal officers when advising the panel on dealing with any complaints against the commissioner).
- 14 It is proposed that the costs of the panel, including support for the panel, will be contained within the grant to be provided by the Home Secretary to the host local authority. The annual grant will be £53,330 for scrutiny and meeting costs plus £920 towards expenses per panel member, subject to review by the Home Secretary in future. The LGA has lobbied the Home Office to make a transparent level of funding available on a permanent basis to ensure that there is no burden on local authorities. However, the grant is not guaranteed beyond the first year and a half and the Act requires that panel arrangements make provision about how the local authorities are to share the costs of the panel. It is proposed that from December 2013 the Panel will agree its budget and will work within the budget given by the Home Office if this is not sufficient due to changes in funding or it ceasing to be funded the budget will be sent to the Hertfordshire Leaders Meeting for them to agree.
- 15 The Home Office is not funding the payment of allowances, only travel expenses and it is for each authority to determine whether to pay an allowance and if so what allowance should be paid to its representative on the panel. Watford has not allocated any additional budget towards any allowance for this, and it is not recommended that any allowance be paid.
- 16 The Act requires that the panel arrangements set out how support and guidance will be given to elected members and officers of the local authorities in relation to the functions of the panel. It is proposed that this will comprise initial briefing sessions for all elected members and relevant officers of the local authorities before the commissioner is elected and annual briefing sessions thereafter; together with written briefings issued at least three times a year. The Police Authority will be providing a core briefing pack for candidates and each Authority will be expected to respond to requests for additional briefing.
- 17 As currently set out in the Act it appears the panel arrangements and appointments are an executive function, but the Home Office has indicated the yet to be made Regulations may apply or dis-apply certain local government legislation making this a council function.

4.0 **IMPLICATIONS**

4.1 **Financial**

4.1.1 The Head of Strategic Finance comments that the initial intention is that this Panel should be self financing from Home Office grant and there would therefore be no effect upon council budgets..

4.2 **Legal Issues** (Monitoring Officer)

4.2.1 The Head of Legal and Property Services comments that the legal implications are contained within the body of the report

4.3 **Equalities**

This report implements Government legislation.

4.4 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Not all authorities agree to sign up to the joint committee	1	4	4
Agreement cannot be reached on the financial arrangements	2	3	6

4.5 **Staffing**

4.5.1 Broxbourne are the Host Authority. Democratic services will be involved in circulating and publishing agenda and minutes which can be accommodated within existing workloads

4.6 **Accommodation**

4.6.1 N/A

4.7 **Community Safety**

4.7.1 The report contains details of the role of the Joint Committee in this regard

4.8 **Sustainability**

4.8.1 N/A

Appendices

Appendix 1 – proposed arrangements for the Hertfordshire Police and Crime Panel

Background Papers

”No papers were used in the preparation of this report”.

File Reference

None



HERTFORDSHIRE POLICE AND CRIME PANEL

PROJECT PLANNING WORKING PAPER

DRAFT PANEL ARRANGEMENTS

Gavin Miles, Head of Legal Services
Broxbourne Borough Council

WP/12/02

25 May 2012

HERTFORDSHIRE POLICE AND CRIME PANEL - PANEL ARRANGEMENTS

This Agreement is dated the day of 2012.

The Agreement is made between the following:

1. Broxbourne Borough Council
2. Dacorum Borough Council
3. East Hertfordshire District Council
4. Hertsmere Borough Council
5. North Hertfordshire District Council
6. St Albans City & District Council
7. Stevenage Borough Council
8. Three Rivers District Council
9. Watford Borough Council
10. Welwyn Hatfield Borough Council
11. Hertfordshire County Council

In the Agreement the above Authorities are referred to together as 'the Authorities'.

1.0 Background

- 1.1 The Police Reform and Social Responsibility Act 2011 ('the Act') introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.
- 1.2 The Act provides for the election of a Police and Crime Commissioner ('PCC') for a police force area, responsible for securing an efficient and effective police force for their area, producing a police and crime plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.
- 1.3 The Act requires the local authorities in each police force area to establish and maintain a Police and Crime Panel ('the Panel') for its police force area. It is the responsibility of the Authorities for the police force area to make arrangements for the Panel ('Panel Arrangements').
- 1.4 Hertfordshire is a multi authority police force area ('the police force area'). The Authorities, as the relevant local authorities within the area must agree to the making and modification of the Panel Arrangements.
- 1.5 Each Authority and each Member of the Panel must comply with the Panel Arrangements.
- 1.6 The functions of the Panel (to be known as the Hertfordshire Police and Crime Panel) must be exercised with a view to supporting the effective exercise of the functions of the PCC for that police force area.
- 1.7 The Panel must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel should exercise, or refrain from exercising, functions so as to encourage, maintain or improve working relationships (including co-operative working); and limit or prevent the overlapping or conflicting exercise of functions.
- 1.8 The Panel is a scrutiny body with responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police force area.
- 1.9 The Panel is a joint committee of the Authorities.
- 1.10 The Authorities agree the Panel Arrangements.

2.0 Functions of the Police and Crime Panel

- 2.1 The Panel may not exercise any functions other than those conferred by the Act.
- 2.2 The functions of the Panel set out at paragraphs 2.3 - 2.8 below may not be discharged by a Committee or Sub-Committee of the Panel.

- 2.3 The Panel is a statutory consultee on the development of the PCC's Police and Crime Plan and must:
 - a) review the draft Police and Crime Plan (and a variation to it); and,
 - b) report or make recommendations on the draft Plan which the PCC must take into account.
- 2.4 The Panel must comment upon the Annual Report of the PCC, and for that purpose must:
 - a) arrange for a public meeting of the Panel to be held as soon as practicable after the Panel is sent an Annual Report under Section 12 of the Act;
 - b) ask the PCC at that meeting such questions about the Annual Report as the Members of the Panel think appropriate;
 - c) review the Annual Report; and,
 - d) make a report or recommendations on the Annual Report to the PCC.
- 2.5 The Panel must undertake a review of a precept proposed by the PCC in accordance with the requirements set out in Schedule 5 of the Act, and will have a right of veto in respect of the precept in accordance with the Act and Regulations made thereunder.
- 2.6 The Panel must review, make a report to and make recommendations to the PCC in relation to the appointment of a Chief Constable by the PCC in accordance with the requirements set out in Schedule 8 of the Act and will have a right of veto in respect of the appointment in accordance with the Act and Regulations made thereunder.
- 2.7 The right of veto in paragraphs 2.5 and 2.6 will require that at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision.
- 2.8 The Panel must review, make a report to and make recommendations to the PCC in relation to the appointment of the PCC's Chief Executive, Chief Finance Officer and the Deputy Police and Crime Commissioner in accordance with the requirements set out in Schedule 1 of the Act.
- 2.9 The following functions must also be undertaken by the Panel but may be delegated to a Sub-Committee of the Panel:
- 2.10 The Panel shall receive notification from the PCC of any suspension of the Chief Constable, or any proposal to call upon a Chief Constable to retire or resign, and in the case of the latter must make a recommendation to the PCC as to whether or not the PCC should call for the retirement or resignation in accordance with the procedures set out in Schedule 8 of the Act.
- 2.11 The Panel must review or scrutinise the decisions or actions of the PCC in the discharge of his/her functions and make reports or recommendations to the PCC with respect to the discharge of the PCC's functions. The Panel may carry out investigations into the decisions of the PCC, and into matters of particular interest or public concern.

2. 12 The Panel must publish any reports or recommendations made by it to the PCC in a manner which the Panel will determine and must also send copies to the Authorities.
2. 13 The Panel may require the PCC or a member of his/her staff to attend the Panel to answer questions necessary for the Panel to undertake its functions, provided that such questions shall not:
- a) relate to advice provided to the PCC by his/her staff;
 - b) in the view of the PCC:
 - i) be against the interests of national safety;
 - ii) jeopardise the safety of any person; or,
 - iii) prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice; or,
 - c) be prohibited by any other enactment.
2. 14 If the Panel requires the PCC to attend the Panel, the Panel may (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any question which appears to the Panel to be necessary in order for it to carry out its functions.
2. 15 The Panel may require the PCC to respond in writing to a report or recommendation from the Panel to the PCC.
2. 16 The Panel may suspend the PCC if he/she is charged with an offence carrying a maximum term of imprisonment exceeding two years.
2. 17 The Panel will have any other powers and duties set out in the Act or Regulations made in accordance with the Act.

3. 0 Membership

3. 1 General

3. 2 Appointments of elected members to the Panel shall be made by each of the Authorities in accordance with their own procedures and with a view to ensuring that the balanced appointment objective is met so far as is reasonably practicable. The Host Authority shall take steps to coordinate the Authorities with a view to ensuring that the balanced appointment objective is achieved. The balanced appointment objective requires that the local authority Members of the Panel (which includes Members appointed by the Authorities and co-opted Members who are elected Members of any of the Authorities) should:
- a) represent all parts of the police force area;
 - b) represent the political make-up of the Authorities; and,
 - c) taken together have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.

- 3.3 In appointing co-opted Members who are not elected members of any of the Authorities the Panel must secure, so far as is reasonably practicable that the appointed and co-opted Members of the Panel, together have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- 3.4 The Panel shall consist of eleven Members one appointed by each of the Authorities.
- 3.5 The Panel shall also include two independent Members co-opted by the Panel.
- 3.6 The Panel may also resolve to co-opt further Members with the agreement of the Secretary of State provided that the number of co-opted Members included in the Membership of the Panel shall not exceed 9.
- 3.7 Authorities may appoint a named substitute Member in the event that their Appointed Member is unable to attend a meeting.
- 3.8 Appointed Members**
- 3.9 The Authorities shall each nominate an elected member to be a Member of the Panel. If a nominated Member agrees to the appointment the Authority may appoint the Member as a Member of the Panel.
- 3.10 If any of the Authorities has an elected Mayor and Cabinet form of executive the Mayor must be the member nominated by those authorities.
- 3.11 If a member nominated by any of the Authorities declines the nomination the Authority must immediately take steps to nominate another member.
- 3.12 In the event that an Authority does not appoint a Member in accordance with these requirements, the Secretary of State must appoint a Member to the panel from the defaulting authority in accordance with the provisions in the Act.
- 3.13 an appointed Member shall be a Member of the Panel for so long as the nominating Authority chooses unless s/he ceases to be an elected Member, or is removed by their Authority.
- 3.14 An Authority may decide in accordance with their procedures to remove their appointed Member from the Panel at any point and on doing so shall give notice to the Head of Support Services at the Host Authority.
- 3.15 An appointed Member may resign from the Panel by giving written notice to the Head of Support Services at the Host Authority on behalf of the Panel and to the proper officer at their Authority.
- 3.16 In the event that any appointed Member resigns from the Panel, or is removed from the Panel by an Authority, the Authority shall immediately take steps to nominate and appoint an alternative Member to the Panel.
- 3.17 Members appointed to the Panel may be re-appointed to the Panel when their term of appointment ends.

3. 18 Co-opted Members

3. 19 The following may not be co-opted Members of the Panel:

- a) the PCC for the Police Area.
- b) a member of staff of the PCC for the area.
- c) a member of the civilian staff of the Police Force for the area.
- d) a Member of Parliament.
- e) a Member of the National Assembly for Wales.
- f) a Member of the Scottish Parliament.
- g) a Member of the European Parliament.

3. 20 An elected member of any of the Authorities may not be a co-opted Member of the Panel where the number of co-opted Members is two.

3. 21 If the Panel has three or more co-opted Members an elected member of any of the Authorities may be a co-opted Member of the Panel provided that at least two of the other co-opted Members are not elected members of any of the Authorities.

3. 22 A co-opted Member shall be a Member of the Panel for four years.

3. 23 The Panel shall put in place arrangements to ensure that appointments of co-opted Members are undertaken following public advertisement in accordance with the following principles:

- a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel;
- b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same pre determined criteria; and,
- c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised and made available with a view to attracting a strong and diverse field of suitable candidates.

3. 24 A co-opted Member of the Panel may resign from the Panel by giving written notice to the Head of Support Services at the Host Authority on behalf of the Panel.

3. 25 The Panel must from time to time decide whether the Panel should exercise its power to change the number of co-opted Members of the Panel to enable the balanced appointment objective to be met, or be more effectively met, and if so, it must exercise that power accordingly.

3. 26 The Panel may decide to terminate the appointment of a co-opted Member of the Panel if at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision at any time for the reasons set out below and on doing so shall give written notice to the co-opted Member:

- a) if the co-opted Member has been absent from the Panel for more than three months without the consent of the Panel;
- b) if the co-opted Member has been convicted of a criminal offence but not automatically disqualified;
- c) if the co-opted Member is deemed to be incapacitated by physical or mental illness or is otherwise unable or unfit to discharge his or her functions as a co-opted Member of the Panel; or,
- d) if the co-opted Member's membership of the Panel no longer achieves the meeting of the balanced appointment objective.

3. 27 In the event that a co-opted Member resigns from the Panel or is removed from the Panel following a decision of the Panel, the Panel shall ensure that at least two independent co-opted Members remain appointed to the Panel, and in the absence of two such Members shall make arrangements to ensure that two co-opted Members are appointed.

3. 28 Co-opted Members appointed to the Panel may be re-appointed for a further term of four years provided that the balanced appointment objective is met by that re-appointment.

4. 0 Budget and Costs of the Panel

4. 1 The costs of the panel are intended to be kept within the level of grant paid to the host authority by the Home Office or from any other source.

4.2 For the first year and a half of operation (up to April 2014) the Host Authority will provide a level of service to the Panel within the resources granted by the Home Office

4. 3 A draft annual budget for the operation of the Panel shall be drawn up by the Host Authority in December 2013 and each December thereafter for consideration by the panel, and if the budget exceeds the anticipated level of grant shall be referred for approval by the Authorities at the Hertfordshire Leaders' meeting. All costs will be contained within the budget.

4.4 If the annual costs of the Panel in the budget approved by the Hertfordshire Leaders' meeting cannot be contained within the grant paid to the host authority, the excess shall be borne between the Authorities equally. If there should be a surplus which is not required to be repaid to the grant funding source the surplus shall be paid to the Authorities equally.

5. 0 Host Authority

5. 1 A Host Authority for the Panel shall be determined by mutual agreement of the Authorities for the Panel and shall provide such administrative and other support as will be necessary to enable the Panel to undertake its functions. The Host Authority may be changed by agreement of the Authorities providing 12 months notice expiring on 31 March in any year is given. Any change shall be evidenced by Memorandum signed by all the Authorities and annexed to this Agreement and include details of the person for service pursuant to clauses 3.13 and 3.14.

6.0 Rules of Procedure

The Panel shall determine its Rules of Procedure which shall include arrangements in relation to the:

- a) the appointment and removal of the Chairman;
- b) the formation of sub-committees;
- c) the making of decisions;
- d) the arrangements for convening meetings; and,
- e) the circulation of information.

7.0 Allowances

- 7.1 Members shall be entitled to claim expenses incurred as a result of membership of the Panel in accordance with the allowances appendix as amended from time to time by the Panel. No other allowance is payable under these arrangements.

8.0 Promotion of the Panel

- 8.1 The Panel arrangements shall be promoted by:

- a) the establishment and maintenance of a dedicated open-access website including information about the role and work of the Panel, Panel Membership, all non-confidential Panel and sub-committee meeting papers, press releases and other publications;
- b) the issuing of regular press releases about the Panel and its work; and,
- c) the Authorities will each include information about the Panel on their websites, and will also include a link to the Panel website.

- 8.2 Support and guidance shall be provided to executive and non-executive elected members and officers of the Authorities in relation to the functions of the Panel as follows:

- a) by the provision of initial briefing sessions for elected members and relevant officers of the Authorities before the election of the PCC, and the provision of annual briefing sessions thereafter; and,
- b) by the provision of written briefing notes for elected members and relevant officers of the Authorities at least three times per year.

9.0 Validity of Proceedings

- 9.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the Membership of the Panel or a defect in appointment.

- 9.2 The conduct of the Panel and the content of these arrangements shall be subject to the legislative provisions in the Police Reform and Social Responsibility Act 2011, and any Regulations made in accordance with that Act, and in the event of any conflict between the Act or Regulations, and these arrangements, the requirements of the legislation will prevail.

EXECUTED AS A DEED BY THE AUTHORITIES AS FOLLOWS:

THE COMMON SEAL OF
THE COUNCIL OF THE
BOROUGH OF BROXBOURNE
was hereto affixed in the presence of

.....
Chief Executive Officer

COMMON SEAL of
DACORUM BOROUGH COUNCIL
was hereunto affixed in the presence of:-

.....
Authorised Signatory

THE COMMON SEAL of
East Hertfordshire District Council
was hereunto affixed by order

.....
Authorised Signatory

THE COMMON SEAL of
HERTFORDSHIRE COUNTY COUNCIL
was hereunto affixed in the presence of

.....
Authorised Signatory

THE COMMON SEAL of
Hertsmere Borough Council

was hereunto affixed by order

.....
Authorised Signatory

THE COMMON SEAL of
North Hertfordshire District Council
was hereunto affixed by order

.....
Authorised Signatory

THE COMMON SEAL of
ST. ALBANS CITY AND DISTRICT COUNCIL
In the presence of

.....
Authorised Signatory

The COMMON SEAL of
STEVENAGE BOROUGH COUNCIL
hereunto in the presence of

.....
Authorised Signatory

THE COMMON SEAL of
Three Rivers District Council
was hereunto affixed by order

.....
Authorised Signatory

THE COMMON SEAL of
Watford Borough Council
was hereunto affixed by order

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Authorised Signatory

THE COMMON SEAL of
Welwyn Hatfield Borough Council
was hereunto affixed in the
presence of

.....
Authorised Signatory

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PART A

Report to: Cabinet
Date of meeting: 18th June 2012
Report of: Head of Community Services
Title: Allotments Framework and Strategy Update

1.0 SUMMARY

1.1 This report summarises the progress to date on updating the 2002 Allotment Strategy and the ongoing development of a new 5 year strategy. During 2011, a major consultation and review was carried out of the Allotment service and provision of allotments generally in the town. As a result of this review and feedback received from over 40% of tenants, a new Strategy and Framework and Action Plan is being developed for the period 2012 to 2017. This will include a summary of the consultation, as well as a detailed Action Plan for 2012-2017.

1.2 The Allotments Strategy with Framework and Action Plan will be a comprehensive review of Watford Borough Council's allotment provision with the intention of providing a well-managed cost effective service offering good quality allotments throughout the Borough, in the most cost effective manner over the next 5 years, whilst also taking note of factors which could impact on allotments during and beyond this period.

1.3 Progress on developing the strategy has been excellent with feedback from tenants and allotment representatives after consultation in late 2011 and early 2012. A number of key themes and a proposed Action Plan have therefore been developed:-

Key Theme 1: To ensure sufficient stock of allotments at the recommended quantity and quality standard and to meet the present and future needs of Watford's community.

Key Theme 2: To ensure the benefits of allotment gardening are promoted to all sections of the Watford community.

Key Theme 3: To ensure allotments in Watford are managed and administered in the most effective and efficient way.

Key Theme 4: To ensure that resources match the needs of the service.

However, there is now an opportunity to re-assess the draft strategy and framework

in light of wider strategic initiatives that may impact on the provision of allotments in Watford. These include the Watford Health Campus Project, HCC Schools expansion programme and the possible outsourcing of Parks & Open Spaces Service to an external provider. Some feedback has also been given by some tenants that the strategy does not highlight the need for further capital investment in allotments. This has meant that the strategy needs to be developed further and therefore this report seeks to update Cabinet of progress to date and recommend the next steps.

2.0 **RECOMMENDATIONS**

- 2.1 To note progress to date and review the draft strategy in Autumn 2012.
- 2.2 That the Mayor establish an Allotment Stakeholder Panel to engage with the options for future investment and help finalise the strategy and action plan.

Contact Officer:

For further information on this report please contact: Paul Rabbitts – Section Head Parks and Open Spaces
telephone extension: x8250; email: Paul.Rabbitts@watford.gov.uk

Report approved by: Lesley Palumbo, Head of Community Services

3.0 **DETAILED PROPOSAL**

- 3.1 Allotments have been an important and valuable part of our urban and rural communities for over 150 years. They were created to empower those on low incomes to improve their quality of life, health and diet, by growing their own food. The common land these people worked was the remains of land that had once been communal agricultural land.
During the past 10 years gardening has become a very popular leisure activity in the UK, offering a relaxing alternative to the stressful pace of modern day life. Increasingly allotments are being valued for their therapeutic benefits in providing a quiet refuge, where people can have the sense of gardening in the country, within an urban environment.
- 3.2 Watford Borough Council provides 13 allotment sites in the Borough which continue to be popular with local residents echoing the national picture.
- 3.3 In 2002, Watford Borough Council drafted its first Allotment Strategy. At the time, the strategy stated that:-
“The Council believed that the future of allotments was secure and provided multiple benefits, not just to gardeners, but also to the environment and the wider community. The Strategy’s aim was to maximise the numbers of people using allotments by promoting opportunities to all residents. It aimed to protect all allotment sites and ensure the provision of attractive, safe allotment sites with a good standard of service

and infrastructure. Finally, the aim of the strategy was to protect and enhance the wildlife value of allotment sites.”

The previous strategy also highlighted 14 objectives and whilst these were important at the time, they have since been re-assessed and, where relevant, incorporated into a proposed revised Action Plan for an updated strategy. The previous strategy has been reviewed and it was considered that it needed to be fully revised and updated due to changes nationally as well as locally, as well as taking into consideration the ongoing changes within the current economic climate affecting both the Council as well as allotment tenants. At the same time, the strategy needs to take account of the following:-

- Watford Health Campus Development and potential impact on the Farm Terrace site and redundant allotments at Willow Lane – see the report on the Watford Health Campus programme update on this Cabinet Agenda;
- HCC Schools expansion and their request to expand Orchard School onto existing vacant allotment land adjacent to Callowland Allotments; and
- Outsourcing options for Parks & Open Spaces and whether the allotment service will be included in an outsourced service provision or retained in house.

3.4 The initial updated strategy has been developed and was underpinned by a Framework and Action Plan. It currently highlights the following:-

- Facts and Figures – the current position in Watford
- What allotment tenants told us
- What else do we know about our allotments
- What else can we do to improve the service
- Legal stuff – the do’s and don’ts of allotments
- Where does the money come from
- What are we going to do in the next 5 years
- How will we know how we are doing

3.5 In particular, the consultation revealed what tenants actually thought about the current service:-

- “the quality of current allotment sites ranges but overall 92% of allotment tenants rate their site as adequate to excellent and only 8% as poor to very poor”.
- “86% of tenants think that allotment rents are reasonable (despite recent increases in 2011)”;
- “Uncultivated plots left by existing tenants, the length of time to let uncultivated plots and waiting lists were the biggest issues”.

A number of meetings have also been held with representatives from sites including local allotments societies and site supervisors. Borough-wide consultation on the initial draft Strategy and Framework and Action Plan was also carried out with substantive feedback received and comments taken on board where appropriate. Further consultation however has also revealed that tenants would like to see the strategy highlight a more focussed investment on allotments across the town to complement work done to date at Cherry Tree and Wiggshall.

3.6 Occupancy rates are now at their highest and waiting lists have been considerably reduced. In the past few years, there has been a significant improvement in the

service, which is reflected in the growing occupancy rates (66% in 2002, 89% in 2006 and 91% in 2011) and a satisfaction level of 73%, which has risen to 92% in 2011.

- 3.7 A number of issues still remain within the service. Some sites still have waiting lists but these are now much reduced and there are still concerns from some tenants in relation to the new levels of maintenance which have been classed as “standard” and “enhanced”. Only one site (Wiggenhall) is currently under “enhanced” status and has received considerable capital investment. The remaining sites voted to remain on “standard” status. Cherry Tree is now also under self management status and is doing very well after significant investment. Callowland have also recently approached the Council asking for assistance in looking at Self Management options. One of the aims is to encourage other sites to consider self management and the benefits this brings.
- 3.8 The Framework and Action Plan should clearly outline what we are hoping to do over the next 5 years. Clearly this requires funding and investment. Some S106 funding is currently being allocated and officers will work with site supervisors to assess what each site requires within the parameters of “standard” and “enhanced” status.
- 3.9 The Action Plan and potential investment from the Watford Health Campus project; the potential relocation of Farm Terrace site and issues surrounding Orchard Primary School do offer opportunities for investment in allotments across the Borough and need to be considered further in a more detailed Action Plan. Allowing for these issues to be clarified, a revised Strategy will be finalised for Autumn 2012 following further dialogue with key stakeholders. It is proposed that the Mayor establish an Allotment Stakeholder Panel which would comprise local allotment holder representation as well as other relevant stakeholders and representation from the National Society of Allotment and Leisure Gardeners to engage on the options for future investment and help finalise the strategy and action plan.

4.0 **IMPLICATIONS**

4.1 **Financial**

- 4.1.1 The Head of Strategic Finance comments that the Council’s current capital programme very largely uses up all existing capital receipts (both General Fund and Section 106 receipts). It is essential therefore that the Allotment Strategy recognises that it should identify key sites and relinquish those of marginal benefit in order to generate capital receipts that can be earmarked for a necessary enhancement programme..

4.2 **Legal Issues** (Monitoring Officer)

- 4.2.1 The Head of Legal and Property Services comments that there are no legal implications in this report.

4.3 **Equalities**

- 4.3.1 The Framework and Action Plan sets out a clear direction of travel based on considerable consultation carried out by Parks and Open Spaces. The survey showed that a typical allotment tenant may be male (57%) or female (43%), but 95% are white British. 16% have a disability of some kind. The age range is now very diverse with

34% aged between 35 and 54 years old and 34% older than 65 years. The draft strategy was also well received at the One Watford Equalities Panel.

One of the Action Plans states - "To develop partnerships with organisations such as health commissioners, community groups, local schools, Herts County Council, Schools, Watford Community Housing Trust, Black and Minority Ethnic and Youth Groups to broaden the appeal of allotment gardening."

An equality impact analysis will be developed alongside the revised strategy. The feedback already received will be used to support the analysis in terms of identifying positive and negative impacts and the actions that might be taken to address them. This will include building understanding of under representation of certain groups, in particular understanding the reasons for the under representation of people from Black and Minority Ethnic communities using allotments.

Appendices

None

Background Papers

None

File Reference

None

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Part A

Report to: Cabinet
Date of meetings: 18 June 2012
Report of: Watford Health Campus Development Director
Title: Watford Health Campus programme update and proposed site assembly development

1.0 SUMMARY

- 1.1 This report informs Cabinet of the current status of the project including:
- progress on selecting a private sector partner for the Watford Health Campus Scheme;
 - funding bids to Local Enterprise Partnership Board and Department of Health.
- 1.2 It reviews the critical delivery timetable of the Campus Scheme in the context of the Croxley Rail Link.
- 1.3 Seeks Member approval to take forward preparation work for the CPO of land, rights and interests where agreement cannot be reached to acquire in order to implement the comprehensive regeneration of the Campus site.
- 1.4 Asks the Cabinet to authorise a review of the options and implications for a potential relocation of the allotment provision at the Farm Terrace allotment site at the Campus.

2.0 RECOMMENDATIONS

- 1 To note the progress made so far in the promotion by the Council and WHHT of the Watford Health Campus Redevelopment Scheme ("the Scheme") for which outline planning permission was granted on 15 July 2010 in respect of the land edged red on the attached plan ("the Land") and to welcome the allocation of £6m on behalf of the Hertfordshire Local Enterprise Partnership to the Scheme.
- 2 To note that the Council have progressed to the best and final offer stage in the selection of a private sector partner to deliver the Campus in joint venture with the Council.
- 3 To authorise the Council's Managing Director in consultation with the Portfolio Holder for Property, to select the preferred bidder following evaluation of bids in accordance with the published evaluation criteria, noting that proposed terms and conditions for financial closure will be subject to approval of Cabinet in the Autumn.
- 4 That, in order to facilitate an economically viable proposal which will further the economic, social and environmental well-being of this part of the Council's

administrative area in accordance with the emerging Development Plan, officers be authorised to acquire by agreement and make preparations for use of compulsory powers if required. Including consideration of such land and/or rights over land as shall be considered necessary for the carrying out of the Scheme. That land referencing take place and formal requisition notices (s.16s) to those with legal interests within the Campus area

- 5 That the Council appropriate for planning purposes all land in the Council's ownership forming part of the Land under the power contained in section 122 of the Local Government Act 1972
- 6 That officers report back to the Cabinet later this year on the legal procedures required to facilitate the progression of the Scheme, such report to consider the progress of negotiations with third parties and the implications of human rights legislation.
- 7 To welcome the wider Green Infrastructure improvements planned for the Campus and the wider area at Riverside Recreation Ground and Riverside Park.
- 8 To endorse an option appraisal assessment of Farm Terrace Allotments, including options for re location.

Contact Officer:

For further information on this report please contact: Tom Dobrashian, Watford Health Campus Development Director
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Report approved by: Manny Lewis, Managing Director

3.0 Background and Development Partner Procurement

- 3.1 A report to Cabinet in June 2010, set out the process for the Council to take the lead on behalf of the Watford Health Campus partnership on the Campus project, including the procurement of a development partner and the acquisition of strategic sites within the Campus area.
- 3.2 Following advice from Nabarro, Drivers Jonas Deloitte and Grant Thornton, the Council decided to pursue the procurement of a development partner in order to set up a joint venture corporate vehicle in the form of a 'Local Asset Backed Vehicle' for the Campus site.
- 3.3 This procurement is being conducted under the Public Contracts Regulations 2006 using the negotiated procedure. Bidders have entered into a bidding process which will enable proposals to be put forward and negotiated in competition before the selection of a preferred bidder.
- 3.4 The procurement process commenced with an OJEU notice in July 2011 and PQQ process and consists of the following stages:

Stage 1: Invitation to Submit Outline Proposals (ISOP) which ran from October to November 2011. Five bidders took part at this stage. After evaluation of ISOP bids,

four bidders were invited to go forward to the next stage.

Stage 2: Invitation to Submit Detailed Proposals (ISDP) which ran from January to March 2012. The two highest scoring ISDP bidders, John Laing and Kier, were invited to go forward to the next stage.

Stage 3: Best and Final Offer (BAFO). We are currently at this stage which commenced on 11 May 2012 with submissions due on 10 July 2012. A number of negotiation meetings are in process with both bidders to assist them and improve their offers. A joint meeting of WHHT Board and WBC Portfolio Holders is being established to hear presentations from both bidders during the BAFO process.

Stage 4: Selection of Preferred Bidder. This is programmed to take place over the summer 2012 following evaluation of the BAFO stage submissions.

- 3.5 Evaluation of bids is based on the "most economically advantageous" principle, with detailed selection criteria drawn up in conjunction with the Major Projects Board and agreed with the Portfolio Holder. A combination of Council officers, colleagues from WHHT and external advisors have been assisting in evaluating bids, and will continue to do so. Initial evaluations are reviewed for consistency in 'moderator' meetings and at ISOP and ISDP stages, recommendations taken to the Senior Management Group of the Campus, chaired by the Council's Managing Director with WHHT represented by their CEO. It is recommended that the Portfolio Holder for Property is invited to attend the moderator meetings for the evaluation of BAFO bids and that the MD has delegated power, in consultation with the Portfolio holder, to authorise the selection of the preferred bidder at the Campus SMG meeting that reviews the scores at BAFO stage.
- 3.6 Members are aware that the procurement of the private sector development partner will lead to the setting up of the Local Asset Backed Vehicle and that under the agreed arrangements, land will be transferred to this new body to undertake the redevelopment of the Campus. Therefore, it will be necessary for the land forming the Campus to be able to be developed without being subject to legal impediment, including third party property interests and other encumbrances.
- 4.0 Update on Funding
- 4.1 A Council sponsored bid to the Growing Places Fund for £6 million has been successful. The bid was submitted to the Local Enterprise Partnership Board on 12 April and terms and conditions are being negotiated. The £6m will need to be paid back as development takes place.
- 4.2 The Growing Places Fund is promoted by the Department of Transport and aims to enable targeted investment in pieces of infrastructure (e.g. transport, utilities and flood defences) which help to unlock development, allowing places to realise development values which can be recycled to provide a longer term solution to infrastructure provision.
- 4.3 Earlier this year WHHT secured £7 million from the Department of Health to support the construction of a new road and bridge in order to provide improved access to the Watford General Hospital site. In addition, WHHT secured a further £2.9 million for the

development of a Combined Heat and Power plant at their Watford site.

5.0 Delivery and Critical Path

5.1 Following the approval of the Croxley Rail Link (CRL) in December 2011, there is now a priority to deliver a bridge as well as the access road to the hospital across the proposed CRL railway line before significant construction of CRL takes place and it is essential the bridge is constructed prior to CRL becoming operational. Current discussions with CRL indicate that the Campus bridge and road will need to be delivered before January 2015.

5.2 It is anticipated that a detailed planning application would come forward for the road/bridge. A project plan has been developed and preliminary steps have been taken to take forward this critical piece of infrastructure. The expectation is that the appointed development partner we are appointing would take over/ support this activity towards the end of this year. We are unable to wait for the appoint to commence bridge and road delivery as:

- we want to meet the CRL timetable; and
- funding conditions on both the Growing Places Funding and Department of Health monies are time limited.

5.3 A critical element to delivering the bridge and road is access to land and site assembly which is considered below.

6.0 Revised masterplan

6.1 The outline planning permission for the Campus involved the relocation of the hospital down the slope of the site and with the significant costs of the Scheme's infrastructure being paid for through a PFI re-provided hospital. This is now not the case. WHHT, bidders and the Council have been reviewing how the Campus can be delivered with inclusion of a re-provided hospital in phases. Due to upfront infrastructure, the viability of the Scheme was under considerable pressure. This has been mitigated to a large extent by the funding awards described above; however, there are still areas where the original Scheme needs to be revised to ensure the Campus is deliverable.

7.0 Green Infrastructure

7.1 As bidders' revised masterplan proposals have been developed for the Campus, key components have been improving links with the existing areas of west Watford and developing proposals which would benefit existing communities. Bidders have been asked to consider Green Infrastructure and improvements to both Riverside Recreation Ground and Riverside Park. Costed proposals have been produced including enhanced cycle and pedestrian routes and a new 'wetlands' park. These plans will be consulted on and stakeholder groups will be asked to participate in developing these proposals. We believe that the proposals will go a long way in enhancing park and green space provided to current and future residents in West Watford.

8.0 Farm Terrace Allotments

8.1 As the Campus project is gearing up to delivery stage, it is necessary to consider the

future of the allotments and the opportunities and threats that the delivery of the Campus Scheme would pose.

- 8.2 The scheme has changed from that proposed in 2007. At that time infrastructure and delivery would start with the delivery of a new hospital. The proposal now is that the hospital will be re-provided in phases around its current site. The increase in demand at the Hospital has resulted in temporary facilities being built within their current site. The implications are that more land will be required for reconfiguration of uses and to provide flexibility in delivery of a viable scheme. Without inclusion of some of the allotment site, delivery would be very much more difficult and the end result far less advantageous from the perspective of providing a new quarter for this area of West Watford. Viability would be impacted. As Members are aware there are also pressures to provide other community assets such as a primary school. Utilising a significant proportion of the allotments will greatly assist to develop a viable and better masterplan
- 8.3 There would be costs associated with retaining the allotments at this location. For example, the allotments in this location would essentially be in situ during the phased delivery of the scheme, estimated over the next 15 years. Despite best endeavours they would be subjected to noise, dusts and changes to access routes.
- 8.4 The cost to the Scheme is in terms of the opportunity of achieving value by including this land for redevelopment. The benefits would also include delivery of a more coherent new quarter for west Watford and a comprehensive regeneration scheme. Against this we do recognise the interest of current allotment holders and a duty to balance their interests.
- 8.5 Following discussion with the Major Projects Board, it is recommended that the Council reviews options for the re-provision of the allotments. This is proposed to be carried out in conjunction with the allotment holders at Farm Terrace and, as proposed in the Allotment Review Cabinet report, on this agenda, through an Allotment Stakeholder Panel. If the allotments are to be relocated it is proposed that the allotment holders not only should obtain re-provision to far better standards, but that a capital sum, generated by the Campus Scheme, would be ear marked to support the upgrade of allotments in the borough.
- 8.6 In order to carry out a proper assessment, Cabinet are asked to endorse preparation and consultation on an option appraisal as set out below.
- 8.7 The options for the allotments to be considered would consist of:
- Do nothing to the allotment site, although changes in access arrangements will need to be made in view of the Campus Scheme;
 - 50% relocation of allotments, including consideration of relocated site(s)
 - 100% relocation, including consideration of relocated site(s)
- 8.8 This option appraisal would consider social, economic, financial and environmental factors. This proposed appraisal will also consider relocation sites.

9.0 Land Assembly

- 9.1 The 2010 Cabinet Report stated that a key component for project delivery was land

ownership. It further stated that the ownership lay within five ownerships and if rationalised could significantly streamline and fast track the project.

9.2 The two key ownerships to be rationalised were those of East of England Development Agency (EEDA) and Hertfordshire Partnership Foundation Trust (HPFT).

9.3 The Council successfully acquired EEDA's land in August 2011. HPFT continue to state that they do not see the need for their current site at Watford General Hospital. Negotiations with HPFT continue in order to acquire their site.

9.4 Council officers have commenced discussions with other land interests/tenants in the Campus area on potential relocations. It is the intention to secure possession of these sites by agreement, then in the absence of agreement by the use of CPO. If legally necessary, appropriate statutory compensation will be given. It is fully intended to assist, where possible, current occupiers and relocate to other suitable business premises.

10.0 Land Title Work

10.1 Officers have undertaken a thorough land title review of the Campus site. The vast majority of the site (over 95%) is in the ownership of either the Council or WHHT.

10.2 It is proposed that the Council's land is appropriated for planning purposes under section 122 of the Local Government Act 1972, in order to facilitate development.

10.3 The in depth analysis of the land title search has revealed that there are 215 encumbrances across the site which will require resolution. These have been further assessed for risk to delivery of the Scheme. Of the 215 encumbrances, only a small number are of high risk where at present the Council may not be able to resolve title through negotiation.

10.4 The Council has 14 tenanted sites/ plots within the Cardiff Road and former EEDA land. Of these 3 are Protected tenants with the remaining 11 on short term leases.

10.5 Details of major encumbrances and protected tenancies can be found in Appendix A (a Part B item). Consideration will be given to the potential costs of acquiring sites as well as any compensation due.

10.6 Given the number and type of encumbrances, it is proposed (as a precaution) to prepare for the compulsory purchase of land and interests where agreement to acquire these interests or land cannot be reached.

10.7 The Map at Appendix B shows the outline area of a possible Watford Health Campus Compulsory Purchase Order. Discussions are on going with WHHT to investigate the encumbrances on their land and their treatment. All necessary land and rights within this red line boundary will be assessed to develop appropriate CPO schedules and a CPO map in accordance with Regulations.

10.8 The Council after a competitive tender exercise have procured the services of Nabarro to help with the acquisition of land and interests as well as advising on the compulsory purchase of land and land interests if required.

- 10.9 Negotiations with all third party interests will continue with the hope that acquisition can take place through negotiation.
- 11.0 Potential Compulsory Purchase Order (CPO)
- 11.1 The purpose of this CPO would be the delivery of the Scheme and ensuring that clean title to land can be transferred to the LABV (or nominee for the LABV) in a timely manner, free of encumbrances which will prevent development. It will also ensure site assembly in a timely manner, particularly important for the delivery of the bridge and road noted above.
- 11.2 The proposed sites to be acquired form part of the area designated in the Watford Council's emerging Core Strategy at the Watford Health Campus area (policy SPA3).
- 11.3 The Scheme benefits from an outline planning approval (07/00958/OUTM) decision letter issued on 15 July 2010.
- 11.4 The statutory authority for Compulsory Acquisition is contained within Part IX of the Town and Country Planning Act 1990. Section 226 of the Act empowers local authorities, on being authorised by the Secretary of State, to acquire land compulsorily if they think that the acquisition will facilitate the carrying out of development, redevelopment or improvement of the land. The Scheme would contribute to the promotion of the environmental, social and economic well being of the Council's area, in accordance with section 226.
- 11.5 The Acquiring Authority (Watford BC) will need to provide information on the resource implications of both acquiring the land and implementing the Scheme.
- 11.6 Circular 06/04, Compulsory Purchase, requires that, in making the Order, the Council will need to demonstrate that there is a compelling case in the public interest. The Circular also states that the compulsory purchase of the land and interests is intended as a last resort in the event that attempts to acquire by agreement have failed.
- 11.7 The first stage of Compulsory Acquisition proceedings requires the investigation of land ownership details and establishing all those with an interest in, or right to occupy, the land (termed land referencing). As part of their commission, Nabarro have commenced a land referencing exercise which will supplement the work carried out by the Council's Legal and Property sections. In particular, if Members approve, they will be issuing formal requisition notices (s.16s) to those with legal interests within the Campus area.
- 11.8 A schedule of interests to be included in any Order will be prepared. This list will be continuously updated to reflect the Council's negotiations to acquire interest by agreement. In addition a detailed CPO Map will be produced showing all interests. For the present the Map at Appendix B shows the outline area where land/ interests will be acquired.
- 11.9 Once this information, based on the land referencing and title search has been developed into a CPO schedule and Map a report will be presented to Cabinet for their approval to proceed and issue the Watford Health Campus CPO.

- 11.10 We are therefore recommending that negotiations proceed with landowners' interests on the site and further preparation is undertaken to proceed with CPO, with a future report to be made to Cabinet on progress and seeking an approval to proceed to issue the Watford Health Campus CPO if appropriate.
- 12.0 **IMPLICATIONS**
- 12.1 **Financial**
The following cost of acquisition of interests implications should be noted:
- the acquisition of HPFT land;
 - protected Tenancies;
 - removal of restricted covenants; and
 - rights over land.
- 12.2 Funding in the current budget allocation for the WHC supplemented by WHHT and GPF is, we believe, sufficient for the above.
- 12.3 Appendix A will be developed further to preparing cost estimates, including compensation claims to achieve clean title. This means that the interest acquired should be no worse off in financial terms after the acquisition than they were before. Likewise they should not be any better off.
- 12.4 Please note that because the effects of the CPO on the value of a property are ignored when assessing compensation, it is necessary to value the land on the basis of its open market value without any increase or decrease attributed to the Scheme.
- 12.5 As a matter of general principle all costs associated with undertaking a CPO will be met by the acquiring authority. These would include:
- time spent by Council staff and consultants in progressing the CPO and land referencing;
 - legal costs of the Council (including any time spent by external Counsel and Legal services);
 - other relevant CPO related costs, including all costs, fees and expenses relating to any public inquiry in respect of the CPO;
 - payment to include costs and disturbance payments to all affected landowners, lessees or tenants which arise from the CPO and are a natural and reasonable consequence of the property being acquired; and
 - compensation payments for any statutory nuisance, severance, injurious affection, interference with, disposal or acquisition of rights or interests, which flow as a consequence of the Scheme.
- The Council have appointed Lambeth Smith Hampton to work with Campus and WBC Property staff on compensation and negotiations with beneficiaries.
- 12.6 The Head of Strategic Finance comments that the financial evaluation of the "Health Campus Project" is extremely complex with its financial viability seriously affected by the areas of community use (negative values) that are being factored in. The need to evaluate options around the Farm Terrace allotments is crucial if the scheme is to prove financially positive to all parties.

Further, the Council, at its meeting on 21st March 2012 approved the facility for up to £10m to be borrowed from external sources. The £10m was anticipated to comprise £3m of Growing Places funding; and a £7m contribution from the Hospital Trust (which would only be paid back if the scheme did not achieve WHHT objectives). Since 21st March, the Local Enterprise Partnership had invited the Council to bid for a further £3m of Growing Places funding and this would be an extremely useful source of intermediate finance in meeting a number of the issues detailed at paragraph 12.1 as well as some up front infrastructure and council costs associated with delivery of this comprehensive project. Should all three sources of funding materialise during 2012/2013 then Council would need to approve an increase in its previously approved borrowing ceiling. At this point in time, the timing of the second tranche of Growing Places funding is not known.

13.0 **Legal Issues** (Monitoring Officer)

It is important to comply with the Human Rights Act 1998, in general and with Article 8 of the European Convention on Human Rights, and Article 1 of the First Protocol to this Convention in particular.

Article 8 provides:

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Article 1 of the Convention's First Protocol provides:

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law. The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

The case law of the European Court of Human Rights shows that these articles do not forbid compulsory purchase of homes and other property. Rather, in deciding whether to exercise compulsory purchase powers, it is necessary to consider Article 8(2) in the case of homes (which include not only dwellings, but also professional offices) and the public interest and other factors mentioned in First Protocol Article 1 in the case of all property.

Nabarro will be working in consultation with the Council's Head of Legal Services on acquisition and CPO matters.

- 13.1 If the CPO resolution is made, this will be recorded in the Local Land Charges Register and disclosed on searches.

13.2 The Head of Legal and Property Services comments that the legal implications are contained within the body of the report. The Council has employed Nabarro as its legal advisers on the procurement of the development partner and on advising on the appropriate vehicle to support this development project.

14.0 **Equalities**

14.1 Monitoring is taking place on businesses affected by the Council’s plan to acquire site. Further assessment may be required if CPO is pursued and the level of objections raised.

15.0 **Potential Risks**

Potential Risk	Likelihood	Impact	Overall score
Delay in procuring PSP, including agreement on financial closure with preferred bidder	1	5	5
Delivery of access bridge and road	2	4	8
Loss of Growing Places/ WHHT funding	2	4	8
Delay in acquisition through negotiations	3	2	6
CPO procedures not correctly followed	1	5	5
Cost of acquiring interests increasing	2	4	8
<i>Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service’s Risk Register.</i>			

16.0 **Sustainability**

16.1 Watford Health Campus Scheme has been assessed against sustainability criteria as highlighted in its Environmental Impact Assessment. It was found to be a sustainable Scheme.

Appendices

- Appendix A: list of major title encumbrances, including Protected tenancies in Watford Health Campus area (exempt information is contained in Appendix A is not for publication. The exempt information is under the following category (identified in amended schedule 12A of the Local Government Act 1972; and section (3) information relating to the financial or business affairs of any particular persons including the authority holding the information).
- Appendix B: Outline of area to be considered for CPO - will be on display at the meeting.

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.

- Report to Cabinet 7 June 2010

Part A

Report to: Cabinet
Date of meeting: 18th June 2012
Report of: Managing Director
Title Review of the outcome of the Sports Facilities Study leading to action on specific issues relating to 3 key partners.

1.0 **SUMMARY**

As part of the policy framework for the Core Strategy but also to steer future investment choices, officers have commissioned a Sports Facilities Study (SFS) for Watford (attached as Appendix A). This study needs to be consulted upon with the partners and stakeholders who had input into its creation as well as with the wider community before developing a Sports Facilities Strategy that will identify the actions and resources required to address the issues emerging.

- 1.1 The SFS analysis is that given Watford is a geographically small Borough, it is possible to have both a relatively small number of separate facilities and high levels of accessibility. Having a small number of high capacity facilities – as the two excellent leisure centres at Central and Woodside have demonstrated - leads to economies of scale when compared with a larger number of smaller facilities. The borough also faces significant development pressures so has to make the best possible use of its limited land area.

This is the emerging policy context for the recommendations below to initiate two feasibility studies that would inform the final Sports Facilities Strategy for consideration by Cabinet in the spring 2013. The policy context also recognises that the Council should take action in respect of provision that is not sustainable and combined with the land use requirements for the Irish Centre site, it is proposed that the future of this provision is reviewed as set out in Part B of this Cabinet Agenda.

2.0 **RECOMMENDATIONS**

Cabinet is recommended to:

- 2.1 Note and comment on the Sports Facilities Study (SFS) at Appendix A (summarised in 3.3 in the report) and approve the document for future consultation and to support the development of a Sports Facilities Strategy and Action Plan.

2.2

In relation to Woodside (detail identified in 3.4 in the report) to agree:

- a) that, subject to the Cricket Club entering into a Community Use Agreement and an agreement to take forward a co-ordinated feasibility study for Woodside based on

the community sports hub concept outlined in the study, the outstanding loan be written off – details provided in the Part B report;

b) that a feasibility study should be commissioned and funded by the Council to test the viability of a Woodside Sports Hub (including other users within Woodside Playing Fields) and to set the foundation for partner fundraising and a bid for external funding to enable its delivery

- 2.3 In relation to Cassiobury (detail identified in 3.5 in the report) to agree that the Council should fund and commission a feasibility study/masterplan for a multi-user Sports Hub in partnership with the stakeholders.
- 2.4 Agree that the feasibility studies are used as pilots to test the Sports Facilities Study conclusions and inform a final Sports Strategy & Action Plan to be considered by Cabinet in spring 2013.
- 2.5 In relation to Oxhey Park (identified in 3.6 in the report) it is recommended that the Council hold discussions with the Irish Club for the termination of the lease by 31 August 2013 on the basis set out in Part B of this Cabinet Agenda.

Contact Officer:

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3.0 **BACKGROUND - Sports Strategy**

- 3.1 The Council has played a strong role in supporting sport across the Town. It has played a significant role in investing in clubs, playing pitches and improving participation whilst resources were available to do so. The context now is different as both nationally and within the Council resources for community sport and capital availability is more limited. Indeed, a recent national survey of sports clubs undertaken by the Sport and Recreation Alliance found that nearly half the voluntary clubs in England have seen their surplus halve in the past four years, to an average of just over £1,000; 1 in 4 clubs are running at a loss and another 1 in 4 only just breaking even; adult membership has fallen by 11% since 2008; volunteer retention is an issue for over 50% of clubs; and two thirds of clubs are finding it difficult to attract new members and generate sufficient income.
- 3.2 The Council has to try to respond to both the “top down” national policy agenda and the “bottom up” needs of local clubs at a time of sharply declining resources. It is against this background that the Council identified two clear priorities within its Sports Development Framework (SDF)

Priority 1: Increase community participation in physical activity and sport to contribute towards a healthy town for Watford residents;

Priority 2: Develop capacity within the local sporting infrastructure, particularly around clubs, coaches and volunteers, to improve sporting opportunities.

The SDF makes clear that ‘The recent local government settlement means that we have big challenges ahead in terms of the resources we have available. This means that we need to be even more focused in our approach to Sports Development, thereby ensuring that we are using our resources effectively.’

‘The Watford Sports Development provision has moved away from direct provision to one of enabling and commissioning. We will focus on the following:

- Enabling and commissioning partners/organisations and local sports clubs to create sustainable sporting opportunities amongst identified target groups and develop the capacity within the local sporting infrastructure in identified areas;
- Support the continuation of a vibrant Community Sports Network – Active Watford and other relevant stakeholders through active networks and forums;
- Help secure external future funding for sports to contribute to outcomes locally. Enable/manage funding to be effectively commissioned through our local sporting infrastructure;’

3.3 Given the above the Council needs to be very clear on how it supports growth and promotes participation and investment but also has to be rigorous to address provision that is underperforming or is not sustainable. As part of the policy framework for the Core Strategy but also to steer future investment choices, officers have commissioned a Sports Facilities Study (SFS) for Watford (attached as Appendix A). This study needs to be consulted upon with the partners and stakeholders who had input into its creation as well as with the wider community before developing a Sports Facilities Strategy that will identify the actions and resources required to address the issues identified.

Its analysis is that given Watford is a geographically small Borough, it is possible to have both a relatively small number of separate facilities and high levels of accessibility. Having a small number of high capacity facilities – as the two excellent leisure centres have demonstrated - leads to economies of scale when compared with a larger number of smaller facilities. The borough also faces significant development pressures so has to make the best possible use of its limited land area. The study has produced 3 key goals:

Strategic Goal 1

- To ensure that Watford has a network of accessible, high quality, high capacity, well maintained, well used and financially and environmentally sustainable sports facilities, capable of accommodating local demand, complemented by good quality changing and social accommodation, on a limited number of strategically located sites.
Watford has only one multi-sports club (the West Herts Sports and Social Club). Most other clubs are small and lack the resources to allow them to plan for the future. England Rugby, the Football Association and Sport England all want to see the development of vibrant, sustainable community-based multi-sport clubs.

Strategic Goal 2

- To promote the development of financially sustainable community-based multi-sport clubs offering inclusive opportunities for players of all ages and abilities and both sexes.

There is growing evidence that some traditional sports are in decline. The reasons for this are not completely clear, but they appear to include growing family and work-related pressures on players' and volunteers' time; the amount of sport on television; the often poor (and sometimes worsening) quality of many local facilities; and the unwillingness or inability of some players to pay realistic charges for their sport. In response, forward-thinking governing bodies are responding by developing new forms of their sports, with smaller teams, shorter match times, playable throughout the week and not only at the weekend, encouraging players with limited skill:

- **England Hockey** has launched a new small-sided form of the game called Rush Hockey

- The **England and Wales Cricket Board** is actively promoting shorter matches, for example using the 20-20 format, and developing a softball version of the game requiring less protective equipment. There is also a commercially-run “Last Man Stands” league for teams of eight players, designed to last for only about two and half hours.
- **England Rugby** is actively promoting Rugby Sevens, Tag and Touch in an attempt to reverse the recent decline in participation.
- **The FA** has just launched proposal for 9 -a-side junior football on smaller pitches.

Strategic Goal 3

- To develop new forms of provision for traditional sports in partnership with their governing bodies in order to attract new participants and encourage past participants to return to their former sport, promote more mid-week participation and reduce the peaking of demand for pitches and other facilities at the weekend, particularly Sunday mornings

The proposals to develop the two opportunities below and take action in respect of the third case are consistent with the Sports Facilities Study and would support the development of the strategy.

3.4

Watford Cricket Club

Established in 1950, Watford Town Cricket Club is situated at Woodside, close to the existing depot facility. From a difficult period 5 years ago when it was on the verge of closing, it has successfully grown its membership, youth development and community participation. The Club took out a loan from the Council 1987 over 20 years, however a proportion of the loan is still outstanding. The loan was for expansion and improvement of the club house following the growth of the club from the mid 1970's. However the Club has transformed itself, is breaking even and has a strong volunteer base that is supporting initiatives. The Club's role and contribution fits the SDF vision.

The Club holds a 30 year Full Repairing and Insuring lease from 1st April 1985 expiring on the 30th March 2015 i.e. 3 years unexpired.

It has now approached the Council to support investment in the changing room facilities. These are in very poor condition and are clearly identified in the Sports Facilities Study as not meeting current standards. The SFS projects a strong future for the Club envisaging that it should be part of a master planned community sports hub at Woodside with up-graded changing and social accommodation. The Club has approached the Council asking firstly for a write-off of the loan, on which there is limited prospect of repayment, and seeking investment in club house and changing facilities. The estimated costs of these works would be in excess of £430k for which there is no capital funding available.

The draft SFS vision is for a multi sports changing room and clubhouse overlooking the enclosed cricket pitch, with extensive use of the grass pitches, and a floodlit 3rd generation artificial turf pitch in the eastern part of the site to be managed from Woodside Leisure Centre.

The proposal therefore, given the opportunities for growth in participation and quality of sports offer is:

- a) that, subject to the Club entering into a Community Use Agreement and an agreement to take forward a co-ordinated feasibility study for Woodside based on the community sports hub concept, the outstanding loan be written off;
- b) that a feasibility study should be commissioned and funded by the Council to set a vision for the Woodside Sports Hub (including other users within Woodside Playing Fields) and to set the foundation for partner fundraising and a bid for external funding to enable its delivery.

3.5

Fullerians RFC

The Council is the Freehold owner of Cassiobury Park and to the North of this land holding is further land owned by the Council leased to the Trustees of the Fullerians Rugby Football Club, some 9.5 acres as sports pitches, The club have a separate lease with Hertfordshire County Council who own the land on which their club house sits.

3.5.1

Request from the Rugby Club

In August 2011, the Council was approached to consider the surrender of the existing lease and re grant of a new 99 year lease of the sports pitches. The Club believed that a longer lease would aid their fund raising efforts with Sport England and the RFU. They are seeking to build a new club house with an envisaged cost of circa £1m. As stated above the club house is on land owned by Hertfordshire County Council. However, as there is 51 years unexpired on their existing lease from Watford Borough Council, it was agreed that there was in fact no impediment to fundraising by not extending the lease term of the sports pitches.

The Club has approached the Council formally on a proposed redevelopment of their site and the adjoining sites owned by Watford Boys Grammar School and Sun Postal as a new Sports Hub. The club has also submitted a planning application to extend the changing facilities.

The draft SFS identifies this zone, amongst others, as a strategic site, ideally with a community multi-sports hub with a vision for a masterplan that would provide for a 3G pitch designed for rugby and football, better drainage and an artificial cricket wicket with access from Bellmount Wood Avenue. The Fullerians have confirmed that they would be receptive to the idea of a Sports Hub as long as it met all of their key criteria.

At present, they have undertaken a considerable amount of work on their initial proposal to focus just on their club house, following the criteria set out by the Rugby Football Union, and have developed what they consider to be an affordable proposal that extends and refurbishes their current buildings / facilities to a stage where a planning application has been submitted. They have also carried out extensive research with the assistance of professional advisers in relation to possible funding streams.

However Fullerians have now met with partners to discuss their joint aspirations and how a larger multi-sport redevelopment scheme could satisfy wider ambitions. Fullerians have subsequently made it clear that before they could commit to a multi-stakeholder development, they would need to see a firm proposal for what is proposed and how it would be operated; especially given the money that the Club has already committed to its own proposals.

It has been suggested that in order to move the Sports Hub proposal to the next stage that an independent feasibility study is commissioned that looks at the site as a whole, takes a brief from each stakeholder and that this is developed to encompass a master plan for the site with several design options for consideration. The report should also consider the operational aspects of the development and make recommendations following discussion with each of the stakeholders. The report would need to address issues in relation to green belt, flooding, planning and highways.

Proposal

i) that the Council should fund and commission a feasibility study/masterplan for the Sports Hub in partnership with the stakeholders.

3.6 The Irish Centre Background

At the end of the 1980s the Watford & District Irish Association was desperate for club premises and sought assistance from the Council. It was agreed in 1991 to lease them part of the public Oxhey Park in which to erect a suitable building. As is usual there was to be a rent charged for the lease. However, in order to fund the building the Association needed a grant or a mortgage. It was decided to offer a mortgage as it was unlikely that a bank would have been willing to make a loan and anyway the Council could not sanction an arrangement whereby a bank would be able to repossess the building in a public park in the event of default.

The Council had old changing rooms on the site that were subject to vandalism. The deal was that the Association would construct a building for its own use and also to provide new changing rooms for the Council. A community use agreement was signed as part of the package.

During 2004 the Association's chairman contacted the Mayor to explain that it could not afford to maintain the premises properly and seeking support from the Council. It was apparent that the building, being a limited life property, would not realise anything like a sufficient price to recoup the mortgage loan.

3.6.1 Financial Arrangements (commercial and lease information is provided in Part B)

The mortgage is dated 15 February 1991 and is for 40 years.

In 1996 the Council reduced the interest rate on the mortgage and in 1999 the Council agreed to suspend the interest payments to help the club with its financial problems.

In September 2000 the club agreed to restart repayment of the loan.

The Association has been indicating since 1996 that it is in difficulty.

A new lease was granted to the Watford Irish Association Ltd for a term of 30 years and 3 months from 29th November 2005 to 14th February 2036 to regularise its status. The previous lease had been to Trustees. In 2005 with the Irish Club in financial difficulty still and with an increasingly dilapidated building they could not afford to maintain, Cabinet agreed to offset the costs of the maintenance by paying a grant up to the sum due to be paid to the Council by way of mortgage interest for a period of 5 years.

In 2005 Cabinet also agreed to the rent abatement being increased from 30% to 50%.

The effect of the Cabinet decision was to provide a five year interest free holiday to September 2010 to allow the Irish Club to use this saving to invest in the facilities and to enable their finances to be re-organised.

However the present condition of the premises is satisfactory to poor.

- 3.6.2 The Council met with the Irish Club treasurer and trustees in August and September 2011 to review the position. The combination of the difficult financial position of the Club and the repair requirements of the facilities was discussed as was the redevelopment requirements of the Health Campus.

3.6.3 The Health Campus Redevelopment

The link Road from Dalton Way to Wiggshall Road will dissect the Oxhey Park pitches (Zone 12). The s.106 agreement provides for funding for replacement recreational facilities. The relocation of the pitches will impact on the Club as there will be fewer users of the facilities. The link road will need to be constructed by December 2014.

Primary School

The County Education authority has identified the need for additional primary school places in the West of Watford. The Campus site has been earmarked for this within the Core Strategy. The County is considering the option of locating a 3FE school (feasibility plans have been produced) within Zone 12 which is the best suited position which will require land on which users of the Irish Club park and the land on which the Club is situated.

3.6.4 Conclusion

Given the above, it is recommended that the Council hold discussions with the Irish Club for the termination of the lease by 31 August 2013 on the basis set out in Part B of this Cabinet Agenda.

4.0 IMPLICATIONS

4.1 Financial

4.1.1 The Head of Strategic Finance comments that with regard to feasibility studies, there is a contingency provision of £200k in 2012/2013 within the Council's capital programme for feasibility and Upfront Disposal costs. No commitment has been made against this provision at this point in time and could be utilised to complete any work related to the sports strategy.

With regard to the outstanding loans to the Watford Cricket Club and the Irish Centre, it has long been recognised that these would be unlikely to be repaid and can be written off against the general provision for bad debts within the Council's accounts. Agreement to write off these debts should not be unconditional however and needs to be linked to future joint community use in the case of the cricket club, and surrender of the lease in the case of the Irish Centre.

4.2 Legal Issues (Monitoring Officer)

4.2.1 The Head of Legal and Property Services comments that all three clubs have tenancies that are protected by the Landlord and Tenant Act 1954. The cricket club will still have an obligation under its lease to keep the club house in good repair and condition even if the loan is written off.

4.3 Equalities

The sports facilities strategy and action plan will be supported by an equality impact analysis. This will be developed in parallel with the strategy and will be supported by relevant data and information and feedback from consultation.

An equalities impact analysis (Appendix B) in relation to the Irish Centre recommendation has been undertaken. This identified potential impacts on the White Irish community, as the main users of the Centre, but has also identified ways in which these impacts could be addressed.

4.4 Potential Risks

Potential Risk	Likelihood	Impact	Overall score
<i>Partners unwilling to participate in feasibility studies</i>	1	4	4
<i>Funding unavailable to undertake the feasibility studies</i>	1	4	4

<i>Cricket club is unwilling to enter into a community use agreement</i>	1	4	4
<i>Impacts identified within equality impact analysis not mitigated</i>	1	3	3
<i>Those risks scoring 9 or above are considered significant and will need specific attention in project management. They will also be added to the service's Risk Register.</i>			

4.5 **Staffing**

4.5.1

No staffing implications have been identified in this report

4.6 **Accommodation**

4.6.1

No accommodation issues are impacted on by this report

4.7 **Community Safety**

4.7.1

No community safety implications have been identified in this report

4.8 **Sustainability**

4.8.1

No sustainability implications have been identified in this report

Appendices

- *Appendix A - Sports Facilities Study*
- *Appendix B Equality Impact Analysis*

Background Papers

The following background papers were used in the preparation of this report. If you wish to inspect or take copies of the background papers, please contact the officer named on the front page of the report.”

- *Sports Development Framework 2011*

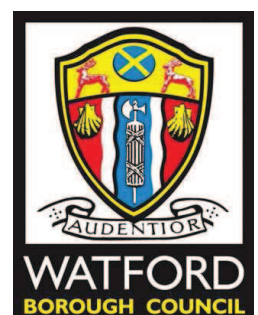
File Reference

- *None*



DRAFT

**Watford Borough Council
Sports Facilities Study
May 2012**



Watford Borough Council
Draft Sports Facilities Study
2012-2022

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15 May 2012

1: Introduction



Why Does Watford Need this Study?

There is a major and growing divergence between stated national sports policy aspirations and reality. A key government and Sport England priority is to grow and then sustain higher levels of participation; and the governing bodies have strategies or development plans containing ambitious growth targets and in some cases ideas for new forms of traditional sports with potentially significant resource implications for both local authorities and their member clubs.

Evidence from Sport England's annual Active People Survey (APS), however, suggests that participation in most sports is either static or in decline. The overall level of adult participation in sport (measured in terms of the number taking part in sport for at least 30 minutes three times a week) has increased in only 15 council areas since 2007-8; gone down in 34; and remained constant in the other 277, including Watford. Of 32 individual sports for which Sport England has published figures, participation (defined in terms of participation at least once a week) has increased in three, declined in 14 and remained the same in the other 15. Nationally participation has increased only in the two highest social groups – ironically just about the only people not targeted by sports bodies trying to boost participation – probably because of the impact of commercial health and leisure clubs.

In addition, a recent national survey of sports clubs undertaken by the Sport and Recreation Alliance found that nearly half the voluntary clubs in England have seen their surplus halve in the past four years, to an average

of just over £1,000; a quarter are running at a loss and another quarter only just breaking even; adult membership has fallen by 11% since 2008; volunteer retention is an issue for over 50% of clubs; and two thirds of clubs are finding it difficult to attract new members and generate sufficient income.

The Council has to try to respond to both the “top down” national policy agenda and the “bottom up” needs of local clubs at a time of sharply declining resources. Its Sports Development Framework (SDF) sets an aspiration that Watford should be a town in which “participation in sport increases for everyone and there is a thriving and vibrant sporting infrastructure”. This study complements the SDF and:

- Identifies shortcomings in existing provision
- Provides information that will help the Borough Council, local schools and other sports facility providers manage their facilities effectively
- Identifies local needs for more or better facilities and provides evidence to support investment in them and bids for external funding
- Provides an evidence base to underpin the Council’s planning policies in relation to sports provision
- Identifies opportunities for cross-boundary working with adjacent councils

It is based on audits of existing provision, analysis of booking and usage records, club surveys and interviews with key stakeholders. All of this information is available in a background report entitled *Watford Sports Facilities Study Evidence Base* and this summary sets out:

- A number of “guiding principles” for the Council and its key partners
- Three long term “strategic goals” – in other words, what the Council intends to achieve, sometimes in the fairly long term
- The key facility-related issues that the Council and its partners need to tackle
- The specific actions that the Council and its partners intend to implement over the next decade

This study is concerned with outdoor sports provision to a greater extent than indoor facilities because in recent years the Council has concentrated on delivering the Woodside and Central Leisure Centres. It is deliberately ambitious because sport is an important part of the lives of many Watford citizens and it can help to deliver the One Watford vision of “a town to be proud of, where people will always choose to live, work and visit”. However, it won’t be possible for the Council to do everything that it might wish to do unless local clubs and sports interests are willing to embrace change.

2: Guiding Principles

The Role of the Council

- To ensure that there is adequate provision of sports facilities to meet current and anticipated future demand arising within the Borough for at least the most popular sports, plus a small margin to allow for unforeseen growth and the import of some demand from adjoining areas
- To ensure that all Council owned facilities, and any for which it grants planning permission, are fit for purpose, of good quality, financially and environmentally sustainable and meet appropriate governing body standards
- To ensure that all Borough residents are able to take part in the sport of their choice, or an acceptable substitute, at a cost they find affordable in facilities they find accessible and welcoming
- To support and foster a “mixed economy” of public, commercial, educational and voluntary sports provision
- To drive sports development in partnership with relevant governing bodies of sport and local clubs and other voluntary organisations such as community centres, schools, West Herts College and commercial sports providers
- To give the greatest support to those sports organisations and initiatives that will help deliver against wider national and local objectives in a sustainable way

The Role of Clubs

- To provide affordable, inclusive, welcoming and financially sustainable opportunities for local residents of all ages to take part in sport, whether recreationally or through playing for their club in local competitive leagues

The Role of Governing Bodies of Sport

- To support the Council by helping plan and deliver sustainable new forms of provision and harness positive trends in their sports in order to deliver desirable outcomes in terms of the Council’s corporate priorities and enhancing the quality of life, health and well being of the Borough’s residents
- To provide and support accessible and affordable pathways that will enable the best sportsmen and

women in the Borough to move on to higher levels of performance and achieve their sporting potential

The Role of Local Competitive Sports Leagues

- To provide a comprehensive and well run set of opportunities for Watford's clubs, teams and residents to take part in local competitive sport at a range of levels appropriate to their abilities

The Role of Schools

- To promote and manage community use of their sports facilities, giving particular priority to local clubs willing to provide pathways from school to community sport

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3: Outdoor Sports Provision - Key Issues

Sporting Contrasts

- There are two broad groups of sports clubs in the Borough. The two rugby clubs, the hockey club and the two tennis clubs with their own sites are thriving. They cater for players of all ages and both sexes, are financially viable, run a range of teams and offer high quality coaching to young players. Notably, they do not depend on the Council, although Watford Rugby Club leases part of its site from the Council.
- Many of the cricket and football clubs, however, are struggling. Most are just a single team without a proper home base and they find it difficult to attract players, volunteers and enough income to survive. Quite a few believe that the Council and sponsors should increase their funding rather than that their members should pay more for their sport. Every year some teams disband and others form. Many have a high level of dependency on the Council in terms of pitch provision and they regard council charges for pitch hire as expensive, although – for example - the average cost for a football pitch, with changing and showers, works out at an average of only about £2 per player per match.
- Most of the bowls clubs have low and in some cases declining membership and must be approaching non-viability. However, ironically the Council has probably done them a favour by granting them leases and making them responsible for their own maintenance as the quality of their sites has generally improved over the past year.
- Only Sun Postal Sports Club, West Herts Sports Club and Cassiobury Tennis Club own their sites, although Fullerians RUFC has a long lease.

The Location of Pitches

- Most Council pitches are located in parks. When they are being used for a booked activity they limit the use of the parks for informal recreation. They are also used informally and this increases wear and maintenance costs but generates no income.

The Size of Pitches

- A number of the cricket, football and rugby pitches in the Borough have dimensions and/or safety margins

that do not meet governing body standards.

- Some adult football teams have to play their home matches on U16 size pitches. For pragmatic reasons, referees are turning a blind eye but could refuse to allow adult matches to be played on them.
- The Football Association and English Rugby are seeking to ensure that all matches are played on appropriately sized pitches, especially at mini/youth/junior level and want councils to provide a range of pitch sizes; this will have significant land use and possibly financial implications for the Borough.

The Quality of Pitches and Other Outdoor Facilities



Woodside Playing Fields: a typical football goalmouth. This photograph was taken in September 2011 and therefore this is the best condition this pitch will be in throughout the 2011-12 playing season.

- Many of the Borough's cricket, football and rugby pitches (including the outfield for cricket pitches) are sloping or bumpy or wrongly oriented or drain poorly – or have several of these faults. Many football pitches have bare goalmouths year round.
- The only artificial cricket wickets in the Borough (at Watford Town CC and Westfield Community College) require replacement.
- Grass cricket pitches are not protected in any way when not being used or during the winter. There are many instances of grounds staff preparing cricket wickets on Thursdays or Fridays for weekend matches only for them to be used informally and damaged before the booked use. Council cricket pitches also require better infrastructure such as watering systems for squares and sightscreens.
- The grass tennis courts at Cassiobury Park are poor
- Some of the hard tennis courts in parks are poor and do not appear to be well used



Cassiobury Park grass tennis courts: in very poor condition by the end of the season

The Use of Council Facilities

- The average use of the Council's football pitches for which details are available (Callowland, Cassiobury, Harebreaks, KGV, Oxhey Park, Radlet Road, Watford Fields, Leavesden Green, Waterfield and Woodside) in season 2011-12 was only:

	Matches/week
Adult football pitches	1.06
Youth football pitches	0.82
Mini football pitches	0.93
Average for all Council pitches	0.93

- In the 2011 season, the average use of the Council's cricket pitches was only 0.78 matches per week.
- There was also significant peaking of football demand. In the thirty weeks of season 2010-11 there were:

110 Saturday morning football bookings (14.5%)
 36 Saturday afternoon football bookings (4.7%)
 577 Sunday morning football bookings (76.1%)
 35 Sunday afternoon football bookings (4.6%)

- This means that the Council has to maintain significantly more football pitches than if demand was spread more evenly across potential match times
- The Council is doing nothing to promote the use of its open access tennis courts; in some other areas councils have appointed tennis contractors that have developed very successful parks tennis programmes.

Council Leases

- Four of the five bowls clubs have 15-year leases of

their sites from the Council but they have only 13-14 years to run. However, funding agencies such as Sport England require clubs to have security of tenure for at least 15 years for any project costing £100,000 or more at the time of application. Cheaper projects require only seven years tenure. As many bowls club projects will cost less than £100,000 this should not be a problem. However, if the Council decides to lease other facilities to clubs it should ensure that leases are long enough to allow them to access external capital funding.

The Import and Export of Demand

- A number of Watford football teams have home pitches around the perimeter of the Borough eg at Francis Combe Academy, St Michael's School, Parmiter's School and Queens School
- Conversely, some teams from outside the Borough use Watford pitches, especially for cricket

The Cost of Pitch Hire

- The Council's pitches are cheaper than those in neighbouring local authority areas, but some clubs clearly struggle to meet the cost of hiring them.
- However, the commercial 5-a-side football complex at Queens School charges players more per hour than the Council and hosts around 140 teams each week, although not all of them are Watford-based

Artificial Turf Pitches



The floodlit 3G pitch at Parmiter's School: Watford needs several pitches like this; the pitch management says it could be booked out twice over

- The Borough has three artificial turf pitches (ATPs), at Woodside, Watford Grammar School for Boys and Westfield Community Technical College. The Watford Grammar School for Boys pitch is designed for hockey, but also used for some football, while the other two are used mainly for football. However, there are no third generation or "3G" ATPs ("3G"

pitches have a long pile artificial turf surface with a rubber crumb infill and are designed for football and rugby). The nearest is at Parmiter's School.

- ATPs can be used for up to four matches in a day, provided leagues allow more than one start time (as hockey does), plus midweek matches and training. Therefore they make much more efficient use of land than grass pitches and it is necessary to cancel matches only rarely because of bad weather. Some football clubs are likely to resist the introduction of a range of start times for Saturday and Sunday matches, simply because kick-off times are long established. However, there is growing acceptance of 3G pitches; for example, commercial 5-a-side soccer centres have been using them for years and the Saracens Rugby Club is proposing to play all of its home matches on a 3G pitch once it moves to Cophall Stadium.

The Lack of Training and Practice Facilities

- There are no floodlit grass football pitches in the Borough and some teams do no midweek training, although some use one of the existing ATPs
- The floodlit grass training facilities available to the rugby clubs are overused and in very poor condition by halfway through the season
- Only the West Herts and Watford Town Cricket Clubs have practice nets
- There is a lack of decent quality floodlit multi-courts – ideally linked to community centres or schools
- Some of the Council's pitches are used for training but it derives no income from this use.
- Mini and midi rugby is particularly constrained by the lack of suitable pitches on Sunday mornings

The Quality of Changing

- The changing pavilions at Woodside Playing Fields (cricket and football), Callowland Rec (football), Watford Fields (football), Oxhey Park (football and Gaelic football), Harebreaks Rec (football), Waterfield Rec (football – but no longer used) and Leavesden Green Rec (football – also no longer used) do not meet current standards. In several of them referees have to share showers or changing with players. Callowland Rec and Woodside Playing Fields are not fit for much other than demolition while at Cassiobury Park the changing room is too far from the parking and pitches.



You get only one chance to make a first impression ... the entrance to the Callowland changing pavilion

Club Development

- The football pitches at Harwoods Recreation Ground, Radlet Road Playing Fields and Leggatts Campus, have no changing accommodation
- The KGV playing field off Tolpits Lane lacks proper social accommodation for cricket teas
- St Michael's School will not provide showers for players at the weekend in order to avoid water heating costs
- Of the Council pitch sites, only the changing rooms at the KGV Playing Field can be used by both male and female players at the same time
- At best, disabled accessibility to pavilions is poor
- Very few clubs in the Borough have any form of quality accreditation (eg Clubmark). Related to this, apart from the tennis and rugby clubs and a few of the football clubs, most clubs have either adult or junior members, but not both.
- Most of the football and a number of the cricket clubs have only one team and are economically fragile
- Most of the football and cricket clubs lack ambition – they are mainly groups of friends that enjoy a weekly game but aren't particularly bothered about improving their skills. Only a tiny handful of (Saturday) football teams play in leagues which are part of the pyramid system, which allows them to progress to higher standards of play. As players grow older, teams are likely to disband if one or two key players get injured or retire.
- There are no proper pathways from youth to adult football
- Very few adult football clubs have links to youth ones or schools, even the football academies at the Queens School and Parmiter's
- Very few clubs have development plans and they are

- not planning for the future; they are simply surviving
- Few clubs have any form of quality accreditation (eg Clubmark)
- There are no community football clubs other than Everett's and Sun Postal
- West Herts is the only multi-sports club
- Some of the smaller football and cricket clubs have an ambition to get their own ground or pavilion but are doing nothing to deliver them, they lack resources and there is no obvious spare affordable land in the Borough
- Among the larger clubs, Watford Town Cricket Club, Fullerians Rugby Club and West Herts Hockey Club all want to develop new changing and clubhouse accommodation but lack the funds to allow them to develop it.

Club Viability



West Herts Sports and Social Club – the only multi-sports club in the Borough

- Only Sun Postal FC and West Herts Sports Club own their sites, although Fullerians RUFC has a long lease
- Some of the football clubs are dependent on sponsorship, although most "sponsors" are simply making a donation as they get very little in return; in addition, clubs are finding it more and more difficult to find sponsors.
- Clubs with no home base find it very difficult to generate income
- Small clubs in all sports are likely increasingly to struggle for players, volunteers and money
- Football managers/secretaries find it very difficult to get match fees/subscriptions from players
- The rugby clubs are relatively strong, primarily because of their social memberships, which in turn is a function of the emphasis they place on running a range of teams in various age groups for both sexes
- The West Herts and Cassiobury Tennis Clubs are

thriving; Grosvenor Tennis Club is not

- The 5-a-side soccer centre at Queens School, Bushey, offers much of what many players appear to want – they don't have to pay an annual subscription or give up half a day to play, can play on midweek evenings, get lots of ball contact, match administration is done for them and it is easier to manage a team of five than one of eleven plus reserves

Girls and Women's Sport

- There is very little or no girls' and women's cricket, football or rugby
- Only Sun Postal FC amongst the men's football clubs has a women's team

Teenage Sport

- Teenage cricket and football appear to be in decline and this will have a knock-on impact on adult participation in due course

Pitch Costs and Subsidy Levels

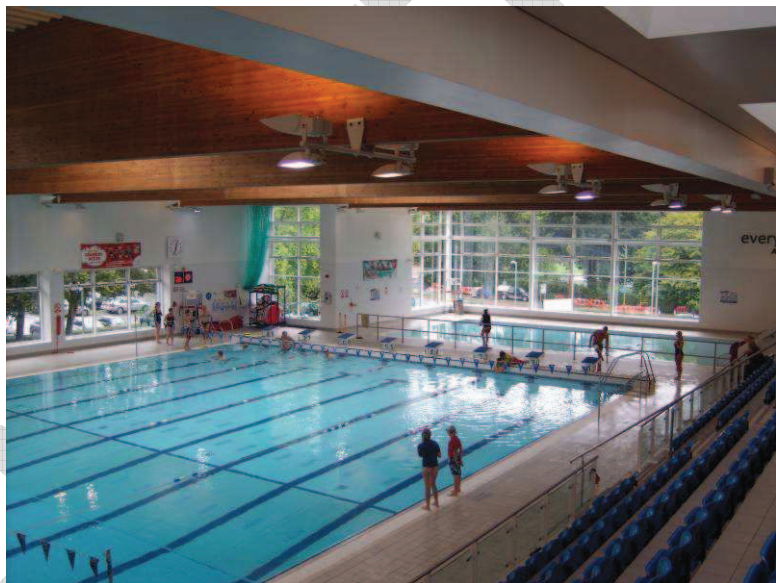
- The Council lacks information on the operating costs of many of its outdoor facilities, particularly pitches. As a result it does not know the extent to which it is subsidising sports such as cricket and football and whether pitches are value for money. Generally speaking, however, pitches are the most highly subsidised of all publicly provided sports facilities on a subsidy per user basis.
- Installing new drainage for a poor quality grass football pitch can easily cost £40,000 and a new two-team changing pavilion to serve it an additional £250,000. Sport England's "Protecting Playing Fields" programme can provide grants of up to £50,000 towards these costs. It also advises that maintaining a grass football pitch properly costs around £10,000 per year. This expenditure would allow the Council to increase its annual income from one grass pitch by £2-300 from around £1,200 to £1,500 and result in a revenue subsidy, at current demand levels, of around £175 per hour of use. Therefore investment in grass pitches is a waste of money.
- A third generation (3G) ATP costs around £800,000 and a four-team changing pavilion around £575,000. The annual maintenance cost is similar to that of a grass pitch, although there is a need to build up a sinking fund to pay for carpet replacement every 8-10 years. At the same charges as for a grass pitch, and assuming 30 hours of use per week and floodlighting costs of £10,000 per year, the revenue surplus is about £10 per hour. In order to build up the sinking fund at a rate of £40,000 per year the required revenue subsidy per hour of use is around £17.
- For comparison purposes, Birmingham University's playing fields contain 13 grass pitches and 3.5 ATPs.

In round figures, the grass pitches generate a deficit of £200,000 per year and the ATPs a surplus of £200,000. These figures include pavilion and all grounds maintenance costs.

The Peaking of Demand

- A little over three quarters of the weekly demand for Council (and other) football pitches arises on Sunday mornings. This means that the Council has to maintain more pitches than would be necessary if demand was spread more evenly through the week; it also results in very low occupancy of most pitches. It will be desirable for the Council to find ways of promoting more mid-week participation so as to reduce the peaking of demand and ideally allow a reduced but more cost-effective pattern of provision.

Indoor Sports Provision



Woodside Leisure Centre: the 25 m x 8 lane pool. Most of the Borough's indoor facilities – public, school and commercial – are recently built and of high quality

- There are no indoor tennis courts in the Borough, but two large and successful tennis clubs. The nearest indoor courts are commercially managed and regarded as expensive by many local tennis players. Watford Grammar School for Boys has an aspiration to develop indoor courts at its New Field, although it is green belt. However, the Lawn Tennis Association will probably help fund an indoor complex, ideally complemented by outdoor courts.
- There is a need for a specialist gymnastics training hall at least 32 x 26 m plus ancillary accommodation. This will allow the Dolphina Club to expand and free times and space in the Woodside Leisure Centre for other activities. It is likely that such a hall will also attract other clubs to use it from outside the Borough. The best way of developing one – albeit fairly expensively – will be a partnership between the Dolphina Gymnastics Club and a school; a cheaper

alternative will be for the Borough Council and club to convert a suitable industrial unit. British Gymnastics is likely to provide at least moral support for such a development, which should help attract external funding.

- The Borough Council's excellent indoor leisure centres are extremely well used and have little spare capacity. However, some of the joint use school facilities could accommodate additional use and opening up these facilities more to community users should be a higher priority than the provision of additional ones. Possibly the most important initiative would be to work with schools with pools that lie unused at the weekend in order to increase the amount of training time available to the Watford Swimming Club.
- The Council requires a clear planning policy for the retention and enhancement of pitches and other sports facilities in the Borough

Planning Policy

Other Sports



Woodside Stadium

- The Woodside Stadium is a high quality, well equipped venue for **athletics** training and competitions. There is no need for any additional provision or further enhancements of the stadium for the foreseeable future.
- There is one **netball** club in the Borough. It plays in the Watford Netball League and the West Hertfordshire Netball League, both of which use the Queens School in Bushey as a four court "central venue". There are also four good quality netball courts at Parmiter's School, but local clubs find them too expensive. Accordingly netball participation could double before there will be a need for more facilities.

4: Strategic Goals

Strategic Goal 1

- To ensure that Watford has a network of accessible, high quality, high capacity, well maintained, well used and financially and environmentally sustainable sports facilities, capable of accommodating local demand, complemented by good quality changing and social accommodation, on a limited number of strategically located sites.

Rationale

Watford is a geographically small Borough, which means that it is possible to have both a relatively small number of separate facilities and high levels of accessibility. Having a small number of high capacity facilities – as the two excellent leisure centres have demonstrated – leads to economies of scale when compared with a larger number of smaller facilities. The borough also faces significant development pressures so has to make the best possible use of its limited land area.

Strategic Goal 2

- To promote the development of financially sustainable community-based multi-sport clubs offering inclusive opportunities for players of all ages and abilities and both sexes

Rationale

Watford has only one multi-sports club. Most other clubs are small, single sex and lack the resources to allow them to plan for the future. England Rugby, the Football Association and Sport England all want to see the development of vibrant, sustainable community-based multi-sport clubs for players of both sexes and all ages in order that they are vibrant, can offer good quality coaching and financially sustainable.

Strategic Goal 3

- To develop new forms of provision for traditional sports in partnership with their governing bodies in order to attract new participants and encourage past participants to return to their former sport, promote more mid-week participation and reduce the peaking of demand for pitches and other facilities at the weekend, particularly Sunday mornings

Rationale

There is growing evidence that some traditional sports are in decline. The reasons for this are not completely clear, but they appear to include growing family and work-related pressures on players' and volunteers' time; the amount of sport on television; the often poor (and sometimes worsening) quality of many local facilities; and the unwillingness or inability of some players to pay realistic charges for their sport. In response, forward-thinking governing bodies are responding by developing new forms of their sports, with smaller teams, shorter match times, playable throughout the week by players with limited skill. Specifically:

- **England Hockey** has launched a new small-sided form of the game called Rush Hockey
- The **England and Wales Cricket Board** is actively promoting shorter matches, for example using the 20-20 format, and developing a softball version of the game requiring less protective equipment. There is also a commercially-run "Last Man Stands" league for teams of eight players, designed to last for only about two and half hours.
- **England Rugby** is actively promoting Rugby Sevens, Tag and Touch in an attempt to reverse the recent decline in participation.

5: Outdoor Sports Provision - Action

General

The Council should draw up a schedule of all the annual maintenance operations undertaken on both cricket and football pitches and estimate the time and materials required for each of them. Using this information, it will be able to work out the approximate cost of maintaining a typical pitch for a year. By comparing this with the hours of booked use and income from this use it will then be able to calculate the net subsidy per hour of use.

Callowland Recreation Ground

Long term role	Local park
Short term	Protect the park through the planning system
Longer Term	Take the pitches out of operation once it is possible to accommodate the current demand on other sites

Cassiobury Park

Long term role	Borough-wide Green Flag(ship) park
Short term	Protect all parts of the park through the planning system Encourage the Croquet Club, Grosvenor Tennis Club and the Bowls Club to merge to provide the croquet and tennis players with access to changing and social facilities and improve the financial sustainability of the bowls club
Medium term	If any merger proceeds and is successful, relocate two of the croquet lawns to the grass tennis courts adjacent to the bowls club Remove the football pitches, as soon as replacement football capacity is available on ATPs elsewhere

Garston Park

Long term role	Local park
Short term	Enhance the park through the

planning system. Remove the football pitches, as soon as replacement football capacity is available on ATPs elsewhere

Harebreaks

Short term

With Herons FC, consider relocation to help fund the development of the strategic pitch sites and amalgamation of the Herons Youth FC with an adult football club at a community sports club site. The Herons lease ends shortly so the Council could renew it on only a short term basis until the future of this site is resolved.

Longer Term

Take whatever action may be agreed with Herons Youth FC

Harwoods Recreation Ground

Long term role

Local park

Short term

Protect the park through the planning system

Longer Term

Remove the pitch and enhance the site as a local park

King George V Playing Fields

Long term role

Strategic pitch site with cricket and grass football pitches and a 3G ATP available for hire, managed from the Community Centre

Short term

Prepare a masterplan for development as a strategic pitch site

Longer Term

Implement the masterplan

Leavesden Green

Long term role

Local park

Short term

Protect the park through the planning system

Longer Term

No action

Leggatts Campus

Long term role

Community cricket and football club

Short term

Protect the site through the planning system

Ensure that the developers provide Everetts FC with a suitable changing pavilion through a

planning obligation

Longer Term Encourage the club to develop a cricket wicket and invite one of the local cricket clubs that wants a clubhouse/ground of its own to merge with it

Oxhey Park

Long term role Grass pitch site for hurling and football (subject to WHC proposals as they evolve)

Short term Protect the park through the planning system and require a contribution to compensatory provision if the proposed Health Campus link road affects the sports facilities

Radlet Road Playing Fields

Long term role Grass pitch site, ideally with part retained as mini-rugby pitches for Watford Rugby Club and/or a small park for local residents. Possible re-location for impacted facilities at Oxhey Park

Fullerians RUFC

Long term role Strategic pitch site, ideally with a community multi-sports club offering cricket, football, hockey and rugby. However, Fullerians is at present unlikely to agree to any merger as it wishes to retain its identify as a rugby club.



Fullerians Rugby Club; the training pitch is badly over-used and the club would benefit from a 3G surfaced training area that could also be used by footballers from the adjoining Sun Sports and Social Club. As

the Watford Grammar School for Boys already has a hockey ATP on adjoining land the site is well on the way to being a multi-sports club, or partnership of clubs.

Waterfields Recreation Ground	Short term	Protect the site through the planning system
	Longer Term	Approach Sun Postal, Fullarians RUFC and the Grammar School and seek their agreement to the preparation of a masterplan for the two sites site that includes a 3G pitch designed for rugby and football, better drainage and an artificial cricket wicket, with access from Bellmount Wood Avenue.
	Long term role	Local park
Watford Fields	Short term	Demolish the changing accommodation
	Longer Term	Protect the site through the planning system
	Long term role	No action
Knutsford Playing Fields (Watford RUFC)	Short term	Local park
	Longer Term	Protect the site through the planning system
	Long term role	Remove the pitch and changing accommodation when there is sufficient capacity to accommodate the current demand at an SPS
West Herts Sports Club	Short term	Community rugby club (as now)
	Longer Term	Protect the site through the planning system
	Long term role	Investigate the potential for the Rugby Club to use part of the Radlet Road Recreation Ground for mini and midi-rugby
	Longer Term	Support the club if it wishes to develop or enhance its facilities further
	Long term role	Community sports club with cricket, football and squash (as now)

**Westfield
Community College**

Short term	No action
Longer Term	Support the club if it wishes to develop or enhance its facilities further
Long term role	Strategic Pitch Site
Short term	Protect the site through the planning system

Encourage the College to allow cricket practice and work with Hertfordshire Cricket to promote new forms of cricket on its playing fields and ATP

Seek the College's agreement to the development of its site as an SPS and if this is forthcoming draw up a masterplan for the site with 5 x 5, 7 x 7 and 9 v 9 grass pitches plus a floodlit 3G ATP to complement the existing sand-dressed ATP, a new artificial cricket wicket, upgraded net practice facilities and a community sports club building

Longer Term	Deliver the masterplan
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**Woodside Playing
Fields**

Long term role	Strategic Pitch Site
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Short term	Protect the site through the planning system
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Draw up a masterplan for the site with four main components:

A **community sports club** on the western part of the site offering cricket and football to players of all ages and both sexes, to be formed by the amalgamation of Watford Town Cricket Club and at least (a) a football club playing in the West Herts Saturday League; (b) a football club playing in one of the Sunday leagues; and (c) at least one mini/youth football club. This club could include changing and social accommodation overlooking the enclosed cricket pitch and the grass football pitch immediately to

the east of it; it may be possible to re-use part of the existing building for this purpose, together with upgraded changing for other clubs using the grass pitches.

Conversion of the existing ATP adjacent to the Leisure Centre into three enclosed smaller pitches with a 3G surface. At present the 100 x 60 m area is split into four 5-a-side football areas each 55 x 23 m that share common sidelines, plus a safety margin around the perimeter. If it was divided into three 60 x 33 m areas, separated by rebound walls, it could be used for both mini-soccer at the weekend and adult 5-a-sides during the week. This would allow significantly more mini-soccer and generate additional mid-week income.

A full size **floodlit 3G ATP** in the eastern part of the site to be managed from the Woodside Leisure Centre

New forms of provision for **small-sided cricket and hockey** (to be planned in partnership with the relevant governing bodies)

Longer Term

Deliver the masterplan

Demolish the existing cricket club pavilion

Develop a new or refurbished depot for the Council

Ideally, Parmiter's and Queens Schools should become Strategic Pitch Sites serving clubs from Watford, Three Rivers and Hertsmere. There is considerable cross-boundary movement of teams in these three areas, with what are essentially Watford-based teams playing in adjoining areas and vice versa. Both schools already let their facilities to teams from a wide area. Therefore there is a sound argument that the Council should formally approach Three Rivers, Hertsmere, the County Council and the two schools to plan and deliver partnership developments at the two schools sites, especially as this will also benefit the schools' PE and extra-curricular programmes. Parmiter's already has a

3G pitch and excellent changing accommodation; Queens School, as a specialist sports college, should have at least one ATP, but does not, and its current pitch changing is poor.

If the adjoining Councils are not willing or able to enter into a partnership development, a good alternative will be the Metropolitan Police. Its facilities in Bushey are already well used by a significant number of community teams for midweek training and weekend matches and the addition of a third generation ATP will be a very cost effective way of increasing its overall capacity to accommodate community use.

DRAFT

6: Indoor Sports Provision - Action

The Indoor Leisure Centres

General

The Council should work with SLM to ensure that its excellent leisure centres remain in the best possible condition and re-invest in them keeping them looking up to date and welcoming as and when necessary.

Woodside Leisure Centre

It will be desirable to move the Dolphina Gymnastics Club into purpose-designed premises as soon as possible. Accordingly the Council should work with the Club and British Gymnastics to develop a plan for this.

Joint Use School Facilities

Enter into discussions with local schools with indoor sports facilities to find cost effective ways of maximising their use by local sports clubs

7 Delivery

There are three main elements to delivery: planning policy, developing partnerships and funding.

Planning Policy

The key findings of this review are that:

- **Participation:** most sports clubs in the Borough are small and potentially financially unsustainable; there is a high level of dependence on Council facilities; and there are only limited opportunities for teenage participants to progress into adult teams and clubs
- **Provision:** the average usage of grass cricket and football pitches across the borough is low but there is significant peaking of football demand on Sunday mornings; there is a surplus of adult football pitches but a need for more mini-soccer and youth pitches; more than adequate provision of floodlit artificial turf pitches suitable for hockey; a need for more training facilities for rugby, together with more mini and midi pitches; the quality of pitches for cricket and football, and related changing accommodation, is poor; the bowls clubs have good and generally improving facilities and provide valuable facilities, particularly for older people; the two large tennis clubs are thriving; and there is adequate provision for athletics and netball.

In the light of these findings, and the twin aims of the Council's Sports Development Framework, the study proposes four main courses of action with land use implications:

- The development of four "**strategic pitch sites**" in the Borough - Woodside Playing Fields in the north of the Borough; the Watford Grammar School/Sun Postal Football Club/Fullerians Rugby Club site in the centre of the Borough; the Westfield Community Technical College; and the KGV Playing Fields in the south of the Borough. Each of these sites will have a mix of grass and floodlit artificial turf pitches, good quality changing and provide a home base for a

community sports club, formed by the amalgamation of two or more existing clubs, or the sharing of facilities by a group of clubs. Over time, the Council should work with clubs and leagues to maximise the use of the ATPs and minimise the need for grass pitches as they require high levels of subsidy per player

- The potential joint development of additional strategic pitch sites at Parmiter's and Queens Schools, subject to the agreement of the schools, the County Council and the adjoining councils. Should these prove to be undeliverable, a good alternative will be to work in partnership with the Metropolitan Police to maximise use of its facilities by Watford clubs, for example, by supporting the development of a floodlit 3G pitch.
- The protection of existing tennis courts and bowling greens and the relocation of the croquet lawns in Cassiobury Park to the grass tennis courts area not occupied by Grosvenor LTC
- The removal of pitches from parks as additional pitch capacity becomes available at the strategic pitch sites

Policy G14, *Sport and Recreation*, in the Council's draft Core Strategy embeds its Sports Development Framework in planning policy. The Core Strategy would however also benefit from the inclusion of the finding of this work regarding the need for a study that incorporates the consolidation and improvement of sports facilities to create strategic sports sites. Further sports policy detail can be provided at a lower level in the LDF hierarchy of documents which would provide guidance on how the Council will respond to planning applications relating to sports facilities, and what the Council wishes to achieve in terms of sports provision.

The most appropriate place to set out such detailed planning policy will be in the Site Allocations and Development Management Policies DPDs. Suitable planning policy will be along the lines of:

The Council will:

- 1 Support development proposals for any of the designated strategic pitch sites if they will:
 - (a) increase the "carrying capacity" of the site and ability to accommodate higher levels of participation or standards of play; or
 - (b) support the creation of a financially and environmentally sustainable voluntary community sports club that will cater for participants of both sexes and all ages; or

- (c) be ancillary to the use of the site for sport and physical recreation (eg new changing rooms or parking) and not adversely affect the quantity, quality or carrying capacity of the pitches and other facilities and their use; or
- (d) affect only land which is incapable of being used for sport and physical recreation or related ancillary accommodation
- 2 Not allow the development for another purpose of any sports facilities owned or operated by a sports club or school unless
- (a) The Council is satisfied that there is no current or foreseeable future need for the facility; or
- (b) The sports facility that will be lost as a result of the proposed development will be replaced by a facility with at least the same carrying capacity and of better quality in a suitable location, with long term arrangements acceptable to the Council that will guarantee both public access and effective management and maintenance; or
- (c) The proposed development is for an outdoor or indoor sports facility of sufficient benefit to the development of sport to outweigh its loss
- 3 Allow the potential development of all or part of some existing pitch sites without changing accommodation, provided that compensatory provision at the nearest strategic pitch site will increase its capacity to accommodate use by an amount at least equivalent to the playing capacity that will be lost and there is no need to retain all or part of the site for another sport or greenspace use
- 4 Require housing developers to contribute to the development or enhancement of the nearest strategic pitch site to their proposed development

Developing Partnerships

It is not realistic to expect the Council to do everything that is desirable to ensure the future health of sport and recreation in the Borough. Instead, it has to work in partnership with a range of agencies including local clubs, schools, county and national sports governing bodies, the County Sports Partnership and potential funding agencies.

Accordingly it should:

- Seek the support of potential partners for this study
- Institute an annual meeting at the end of each playing season with pitch sport leagues (and in time,

representatives of the community clubs) to provide them with feedback on the levels of use of Council facilities and any issues that have arisen, estimate future needs, agree priorities for the next season and seek their views on any development proposals the Council is planning to implement in the following year.

- Initiate discussions on the potential partnership developments suggested in Sections 5 and 6, bearing in mind that they are likely to be long term projects that will depend on significant external funding for their delivery.

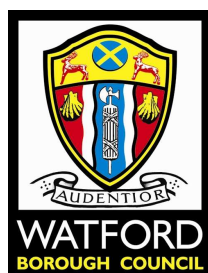
Funding

Delivering this study will not be cheap, but as its core aim is to drive up participation in a sustainable way the projects it proposes should be attractive to potential funding agencies such as Sport England and the Football Foundation.

However, generating external funding will depend on the Council being able to meet a significant share of the cost itself. As the Borough is subject to considerable development pressure it should be able to generate some developer contributions, initially through S106 agreements and in the longer term through the Community Infrastructure Levy.

In addition, the Council should also be willing to consider generating capital receipts from the disposal of under-used assets. In some cases it *may* be acceptable to sell the whole of a site, in others it will be *desirable* to retain part for a new local greenspace. The main football leagues insist that the pitches used by their member teams should have changing accommodation, so the Council should review the need to retain those sites without changing. Given the peaking of football demand and the limited capacity of grass pitches to accommodate use, providing changing for them will be a waste of money. Some disposals will also reduce grounds maintenance costs or – better – allow the Council to spend more on maintaining the strategic pitch sites without increasing its overall outdoor sports maintenance revenue budget.

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Equality Impact Analysis

Title of policy, function or service	Irish Club review in relation to the Watford Irish Centre
Lead officer	Manny Lewis
Person completing the EIA	Manny Lewis
Type of policy, function or service:	Existing (reviewed) <input type="checkbox"/> New/Proposed <input checked="" type="checkbox"/>

Background

This analysis considers the potential impacts, both positive and negative, of proposals to enter into negotiations with the Watford and District Irish Association (more commonly known as the Irish Club) on the termination of its lease on the Watford Irish Centre in Oxhey Park on the people in the groups or with the characteristics protected in the Equalities Act 2010. These are:

1. Age
2. Disability
3. Gender Reassignment
4. Pregnancy and maternity
5. Race
6. Religion or belief
7. Sex (gender)
8. Sexual Orientation
9. Marriage and Civil Partnership

The analysis also considers how we can achieve the positive effects and reduce or mitigate the negatives.

The Irish Centre consists of:

- Function hall (available for hire) – capacity is 250
- Bar
- Sports changing rooms

Opening times are:

- Monday-Friday 18.00 - 23.00
- Saturday 12.00 - midnight
- Sunday 12.00 - 22.30

The purpose of the Irish Club Review

There are four main considerations that underpin the council's review of the Irish Club's lease:

1. Financial context (Watford BC):

The council's overall budget position (which requires the council to achieve significant levels of saving by 2014/15). This financial pressure means the council is reviewing all areas of service delivery and looking critically at the needs of the borough in the context of the resources now available. In terms of community facilities and capital this means that council resources are far more limited than they have been in the past. In this environment the council has to be confident that any investment and / or ongoing support for local community facilities and groups can demonstrate good value for money and that resources are contributing to the provision of sustainable facilities / activities that are meeting the needs, and future needs, of the Watford community.

2. Current situation of Irish Club with regard to the Watford Irish Centre

The council has carried out a thorough review of the Irish Club's current situation in terms of the Watford Irish Centre, particularly in relation to its financial commitments and its lease agreement with the council.

This has shown that the current situation is not viable (particularly in financial terms) for the Club and that there needed to be urgent discussions between the council and the Club as to the future of the Irish Centre.

3. Alternative usage for the Irish Centre location

Combined with the financial issues facing the Irish Club, a need has been identified for the land on which the Centre is located that will help bring forward the Watford Health Campus project and associated link road. The Health Campus project is a multi-million pound regeneration/development project that will deliver new hospital facilities, housing, employment space and a new neighbourhood centre in the west of the borough. Vital to the viability and success of the project is improved road and rail links to the site to overcome current access difficulties caused by busy commuter and residential roads.

In addition, there is an urgent need for additional primary school places in the west of Watford (a need that will be added to by the housing that forms part of the Health Campus development proposals) and the Campus site has been earmarked for this within the Core Strategy. This may require land on which the Centre is situated.

4. Strategic context

Although the Irish Club only has a lease for the Irish Centre itself, the Centre does provide changing rooms which provide facilities for those who use the adjoining playing / sports pitches. Without access to such facilities, the groups may no longer find the playing / sports pitches of an acceptable standard.

The council is currently reviewing the strategic framework, which underpins the delivery of local community and sports clubs.

There has been a considerable amount of national research and policy development on the current and future challenges facing community and sports clubs, which has provided valuable context for Watford as it develops its own strategic framework for the borough.

The council has identified two key policy documents that will help guide its decision-making in relation to community sports provision – responding to both the “top down” national policy agenda and the “bottom up” needs of local clubs at a time of sharply declining resources.

▪ Sports Development Framework

Two clear priorities have been identified within the Sports Development Framework (SDF):

Priority 1: Increase community participation in physical activity and sport to contribute towards a healthy town for Watford residents

Priority 2: Develop capacity within the local sporting infrastructure, particularly around clubs, coaches and volunteers, to improve sporting opportunities.

The Sports Development Framework makes clear that ‘The recent local government settlement means that we have big challenges ahead in terms of the resources we have available. This means that we need to be even more focused in our approach to Sports

Development, thereby ensuring that we are using our resources effectively.’

The Watford Sports Development provision has moved away from direct provision to one of enabling and commissioning, with the council focusing on the following:

- Enabling and commissioning partners/organisations and local sports clubs to create sustainable sporting opportunities amongst identified target groups and develop the capacity within the local sporting infrastructure in identified areas;
- Supporting the continuation of a vibrant Community Sports Network – Active Watford and other relevant stakeholders through active networks and forums;
- Help secure external future funding for sports to contribute to outcomes locally. Enable/manage funding to be effectively commissioned through our local sporting infrastructure;’.
- **Sports Facilities Strategy**
This has been commissioned as part of the policy framework for Watford’s Core Strategy but also to steer future investment choices. This Strategy (including recommendations) will be reported to Cabinet in early 2013. Emerging analysis (in the Sports Facilities Study 2011) shows that, given Watford is a geographically small borough, it is possible to have both a relatively small number of separate facilities whilst ensuring high levels of accessibility. Having a small number of high capacity facilities – as the two excellent leisure centres have demonstrated - leads to economies of scale when compared with a larger number of smaller facilities. The borough also faces significant development pressures so has to make the best possible use of its limited land area.

How will the review promote equality

1. **eliminate** discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
2. **advance** equality of opportunity between people who share a relevant protected characteristic and people who do not share it
3. **foster** good relations between people who share a relevant protected characteristic and people who do not

The review will consider if the council resources currently afforded to the Irish Club both in terms of ongoing financial support as well as the facilities and land currently occupied can be used more effectively to benefit the Watford community including whether there is scope for them to advance equality of opportunity and foster good relations.

Information and evidence

The Watford population

We know from the Census 2001 that:

- 2,304 people in the borough classified themselves as White Irish. This equated to 2.89% of the Watford population
- The experimental ONS data on ethnic population 2009 estimated the White Irish population of Watford as 1,700. This equates to 2.03% of the Watford population.
- If the experimental figures are shown to be accurate in the Census 2011 results (due in summer 2012) then this would indicate a fall in the White Irish population in Watford of around 25% over 10 years.
- A further analysis of the experimental figures shows that the largest percentage of the White Irish population is in the 60 plus age group

Irish Club membership

The Irish Club has informed the council that it has a current membership of around 260. 85% of this membership is Irish (as reported by the Irish Club). There is no additional information as to the make up of this membership in terms of the protected characteristics. Nor is there currently information on the additional users of the Centre and its facilities e.g. hirers of the hall to support this EIA.

Potential users of the Irish Centre changing facilities

In the football season 2010-11, 25 matches were booked at Oxhey Park. There were two adult football teams playing on the pitch last season 2011-12 up to December 2011 – Watford Irish Club and their reserve side. However, one club ceased at Christmas and so from January to mid April there was just one football team using the facilities.

In the hurling season 2010, 13 adult and 10 junior matches were booked at Oxhey Park. In the hurling season 2011, 7 adult matches and 2 junior matches were booked.

All these bookings would have also allowed participants to access the changing facilities at the Irish Centre.

There is no information as to the equality characteristics of the teams using Oxhey Park and possibly the Irish Centre changing rooms, although hurling is a Gaelic sport, popular outside of Ireland with Irish communities.

Uptake of sports activity in Watford

Through the Watford Health Profile 2011, we know that around 10% of age 16+ residents are physically active (Participation in moderate intensity sport and active recreation on 20 or more days in the previous 4 weeks – Active People Survey 2008-2010). This is slightly below the national average of 11.5%).

Further information

Additional information / data will be considered as part of the Sports Facilities Strategy.

Impacts of the review

1. Negative impacts of the review

At this stage of the Irish Club review the potential negative impact identified would be on the White Irish population. As it is not yet absolutely clear which other groups make use of the facility any other impact cannot be identified.

This EIA will be updated in light of any emerging information.

However, any decision on the use of the Watford Irish Centre would not mean that the Irish Club itself cannot continue albeit by using different facilities available within the borough. This would preserve support for the local Irish community. The council would offer advice and assistance to the Club in this regard.

2. Positive impacts of the review

In relation to the playing / sports facilities, a wider review of sports facilities provision within the borough that will report in spring 2013 (the Sports Facilities Strategy). This will focus on consolidating provision within the borough and ensuring it meets the needs of all the community in a way that is resilient and sustainable. At this stage, therefore, it is not possible to identify the full range of positive impacts of the review of the Irish Club and the use of the Irish Centre's changing facilities in terms of the provision of playing / sports pitches as, in isolation from the wider review, these cannot yet be identified. The Sports Facilities Strategy will be supported in its development by an Equality Impact Analysis. It is anticipated this will identify positive impacts for people from a protected characteristics as this will form an integral part of the development of the Strategy. The s.106 agreement for the Campus requires the football and hurling pitches to be relocated.

In relation to the impact the review will have on the delivery of the Watford Health Campus project, this would provide positive outcomes for the community as a whole, including those members of the community with protected characteristics. It will certainly improve access to health facilities within the borough.

Fostering good relations between people who share a relevant protected characteristic and people who do not would be advanced through the sharing of community facilities which are open to all groups within the community and encourage groups to share cultural activities etc.

3. Overall conclusion

Considering the information within this report and both the positive and negative impacts together, this analysis shows that the overall impact on the Watford community is positive. This is because the benefits of releasing the land will impact on all Watford residents (as well as on people from outside the borough whose main access to health facilities is at Watford General Hospital) and there is an opportunity of integrating the cultural activities currently available through the Irish Centre into the wider community.

The table summarises potential negative impacts and ways in which they can be removed or mitigated:

Negative Impact	Protected characteristics	Ways to mitigate the negative impact
Loss of community facilities	Ethnicity White Irish community <i>(no other community groups as yet identified as regular users of the Centre)</i>	Alternative provision is available within the borough – such as halls for hire. The council will work with the Irish Club to identify any affected groups and to work with them to find alternative provision.
Loss of access to changing facilities	Ethnicity White Irish community (known)	Alternative provision will be made within the borough. Wide community use of sports facilities will be considered as part of the Sports Facilities Strategy. The council will work with the Irish Club to identify any affected groups and to work with them to find alternative provision.
Loss of community identity	Ethnicity White Irish community	Although the review might result in the loss of the Watford Irish Centre, the Irish Club and the work it does to support the local Irish community and promote Irish culture could continue without dedicated premises. This would be through the use of alternative facilities / premises that are available within Watford and the surrounding district.

The table summarises potential positive impacts and ways in which they can be removed or mitigated:

Positive Impact	Protected characteristics	Ways to ensure the positive impact
Opportunity to feed into borough wide provision of sports facilities / playing pitches	All	Review to consider equality implications of proposals put forward and to be supported by equality impact analysis.
Contribution made to the delivery of Watford Health Campus project, particularly in terms of improved access	All	The Health Campus has now entered the BAFO stage and the remaining bidders are considering the best way to align the access road to ensure it supports speedier access to the hospital and mitigates any significant amount of additional traffic being experienced on residential roads by providing new access to other elements of the Campus development.
Fostering good relations between people who share a protected characteristic and those who don't	All	<p>Through integrating provision of sports facilities/ playing pitches across the borough and communities there should be an opportunity to bring together people across the protected characteristics.</p> <p>This will be considered within the Sports Facilities Strategy .</p>

Monitoring the review

This analysis will be reviewed as part of the development of the Sports Facilities Strategy.

This EIA has been approved by:

Manny Lewis

..... **Date****28.5.12**.....

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