



<b>Title</b>	Proposed Relocation of Kenilworth Wardens (Community Sports Club) to Castle Farm
<b>For further information about this report please contact</b>	Andrew Jones (01926) 456830 Andrew.jones@warwickdc.gov.uk
<b>Wards of the District directly affected</b>	Kenilworth wards of Abbey, Park Hill and St Johns
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No
<b>Date and meeting when issue was last considered and relevant minute number</b>	
<b>Background Papers</b>	Draft Local Plan and Modifications

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	Yes - 795
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	No
Not applicable.	

<b>Officer/Councillor Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive	10 <sup>th</sup> May 2016	Chris Elliott
CMT	10 <sup>th</sup> May 2016	Chris Elliott, Bill Hunt, Andrew Jones
Section 151 Officer	10 <sup>th</sup> May 2016	Mike Snow
Head of Service	22 <sup>nd</sup> April 2016	Rose Winship and Tracy Darke
Monitoring Officer	15 <sup>th</sup> April 2016	Author
Portfolio Holder(s)	11 <sup>th</sup> May 2016	Cllrs Coker and Cross

<b>Consultation &amp; Community Engagement</b>	
<b>Final Decision?</b>	Yes

## **1 SUMMARY**

- 1.1 This report recommends Executive approval for the relocation of Kenilworth Wardens (a thriving Community Sports Club) from its current base at Thickthorn to Castle Farm. Final legal documents between the parties will be brought to Executive Committee for sign-off.

## **2 RECOMMENDATIONS**

- 2.1 That Executive agrees to Deputy Chief Executive (AJ) and the Head of Cultural Services, in consultation with the Portfolio Holder for Culture, working with representatives of Kenilworth Wardens (Community Sports Club) (hereafter referred to as KW) to agree terms for the relocation of KW from its current site at Thickthorn to Council-owned land at Castle Farm (see plan at Appendix A).
- 2.2 That subject to agreeing recommendation 2.1, Executive agrees that the terms of the relocation shall be broadly in accordance with the principles as detailed at Appendix B to this report and that draft contract and lease agreements are prepared by the Council's legal advisors Warwickshire County Council for subsequent sign-off by Executive Committee.
- 2.3 That Executive notes that proposals for phase II of the Leisure Development Programme - Kenilworth, will inform the arrangements to be agreed with KW.

## **3 REASONS FOR THE RECOMMENDATIONS**

### 3.1 Recommendation 2.1

- 3.11 Following extensive consultation with Kenilworth Town Councillors, Kenilworth District Councillors and the general public, Warwick District Council agreed in May 2014 that a release of land from the green belt for housing to the East of Kenilworth, (known as Thickthorn), should be included in the Warwick District Local Plan (Publication Draft).
- 3.12 Policy DS11 (Allocated Housing Sites) of the Draft Plan included Greenfield Site H06 (Thickthorn) part of which is the home of KW a Community Sports Club that has been in operation for over 50 years (further Club details are provided in Section 8). In recommending the allocation of this site, officers had been able to reassure Councillors that negotiation for the relocation of KW to Council-owned land at Castle Farm was feasible and deliverable. This was an initiative for which Executive Members and Group Leaders had given their backing.
- 3.13 At its meeting of February 2016, Executive agreed the Local Plan - Proposed Modifications report which included Policy DS NEW4 which states:  
  
"Land at Castle Farm...(is) allocated for the provision of outdoor sport. Appropriate facilities associated with the provision of outdoor sport will be permitted provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land with it."
- 3.14 The consequence of the aforementioned Local Plan provisions is that, should the Local Plan be adopted by this Council, there is a clear policy position to support KW's relocation. It is therefore recommended that Executive gives its formal endorsement as landowner to the relocation of KW to the Council-owned land at Castle Farm (see Appendix A), subject to necessary planning permissions and legal agreements being in place. Members should note that the land shown as hatched on the attached plan is not in the ownership of this Council but is

required to enable the relocation to work and consequently KW is in negotiation with the landowner.

### 3.2 Recommendation 2.2

3.21 In the knowledge that there was informal Executive agreement to the relocation of KW to Castle Farm, officers have been discussing the terms of the relocation with the representative of KW. The principles of an agreement are shown at Appendix B to this report but in summary can be described as follows:

- KW would relocate its community sports club operation from land at Thickthorn to Council-owned land at Castle Farm and adjoining land in third-party ownership;
- KW would be entitled to exclusive use of Castle Farm Recreation Centre main hall for a mutually agreed number of hours of week;
- KW would take on the day-to-day management of the land shown as (field 1) at Appendix A ( 2 x full size pitches; 2 x  $\frac{3}{4}$  pitches; 2 x 9x9 junior pitches; and three mini pitches) but it would be retained for public use as open space and sports playing fields;
- KW would be granted a long lease of the land shown as red at Appendix A (field 2) for a period of 125 years for a peppercorn rent upon payment by KW of a premium to be agreed by the parties, the amount being informed by a professional valuation of the land;
- WDC would use the premium received for the improvement of sports facilities at Castle Farm Recreation Centre through Phase II of the Leisure Development Programme;
- Subject to planning approval, KW would undertake various enhancements to the sports playing fields 1 & 2 using the capital receipt generated from the disposal of the land they currently hold on a long lease.

3.22 The outcome of the aforementioned agreement would be that community access to Castle Farm facilities would by-and-large be as now, save for 10 to fifteen hours per week (but see below) when KW would need exclusive use of the Hall for nets practice. However, given the times that KW is likely to want to use the facilities it is highly unlikely that there will be a material detriment to public access although officers will ensure that the Portfolio Holder is satisfied with the proposed arrangements before sign-off. It is therefore recommended that legal and lease agreements are drawn-up to reflect the principles for subsequent sign-off by Executive Committee with officers ensuring that the Council and residents' interests are protected should KW experience any viability issues in the future.

### 3.3 Recommendation 2.3

3.31 As part of the Leisure Development Programme report considered by Executive Committee on 4<sup>th</sup> November 2015, Members were advised at paragraph 3.1.7 that:

"The conclusion of these discussions (*Kenilworth Councillors with officers*) is that it would be premature to recommend an investment programme for the Kenilworth facilities until the Local Plan has been adopted and the funding issues around the relevant site developments clarified and the potential impact of facility development in neighbouring areas is confirmed. Future plans for the Kenilworth facilities should, therefore, be viewed as a second phase to a programme of investment and development."

- 3.32 In relation to Kenilworth facilities, officers will therefore be examining the feasibility of expanding the Castle Farm Recreation Centre gym and adding studio space by extending the footprint of the building as well as constructing a projectile hall that would take cricket nets. The building of a projectile hall would mean that the main hall would be unaffected by KW's requirements.
- 3.33 Should the feasibility study conclude that there is a business case for the ideas at 3.32 then there may be an impact on the *principles* detailed at 3.21 as use of the main hall might not be a KW requirement. So that Members have a complete picture, the feasibility work will be concluded before members are asked to agree the legal agreements referenced at recommendations 2.1 & 2.2.

#### **4 POLICY FRAMEWORK**

- 4.1 The Local Plan position is detailed in section 3.1 of this report. Successful relocation of KW helps facilitate delivery of the Plan.
- 4.2 KW's plans provide for an increased number of playing pitches in the District. This would be consistent with the Council's Playing Pitch Strategy as well as contributing to the Sustainable Community Strategy (SCS) objective of "Increasing opportunities for everyone to engage in sport...".
- 4.3 The proposals are consistent with the *Services* strand of Fit For the Future as KW's relocation will facilitate an improvement to outdoor sports facilities.

#### **5 BUDGETARY FRAMEWORK**

- 5.1 There is no impact on the Council's current budget or budgetary framework as a consequence of the recommendations in this report, however, there is an opportunity to bring forward capital investment in sports facilities as a consequence of the disposal of land held by KW on a long lease and the capital receipt this will generate for KW.

#### **6 RISKS**

- 6.1 There is a risk that KW's relocation has an impact on the Council service currently being offered. This can be mitigated by Executive signing-off the final agreements so that it has the chance to consider the proposals in the round i.e. benefits of KW's relocation versus impact on current service provision.
- 6.2 There is a risk that KW's business case for relocation does not stack-up financially. Officers will work with KW on an open book basis to ensure that the proposal is financially viable. Members should note that Sport England will need to sign-off the relocation and will need to be satisfied as to its deliverability. A finance check and examination of accounts will be undertaken to ensure there are no contra indicators.
- 6.3 There is a risk that the relocation does not go ahead in which case there is a significant impact on the Local Plan as land allocated for housing at Thickthorn may not be able to come forward.

#### **7 ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 No alternative options were considered as it is officers' view that the proposal offers the best way of bringing forward land for housing whilst protecting/enhancing sports facilities in the area.

## **8 BACKGROUND**

- 8.1 KW (a limited company) has been in operation for over 50 years with currently c390 paid Members. It is based at Thickthorn and has a Clubhouse that provides office space as well as function rooms accommodating everything from Zumba classes and painting groups to birthday parties for groups of all ages. The facility offers a fully licensed bar and free car parking.
- 8.2 The club provides access to two sports:
- 8.21 Football
- 8.22 Kenilworth Wardens field three senior teams in the Coventry and Leamington Leagues. The Junior section, which is one of the biggest of its kind in the local area, has 21 teams between the ages of 7 – 16 years, including representation in the prestigious Midland Junior Premier League. The football section also holds FA Chartered Status at the higher standard of Development Club level, and it has FA Qualified coaches at every age group plus a number of UEFA B licensed coaches. The club's annual May Day football festival attracts teams from all round the Midlands.
- 8.3 Cricket
- 8.31 Kenilworth Wardens field five (occasionally six) Saturday league teams in the Birmingham Premier League and the Cotswold Hills League and two Sunday league teams one in the Arden League and one in the Warwickshire Sunday League. The first eleven won the Birmingham First Division title in the 2013 season. It also has a strong youth section, with Clubmark accredited coaching available for boys and girls from 7-18. It hosts Warwickshire's only Floodlit Twenty20 Competition every August, while Warwickshire's 2nd XI play an annual championship fixture at Glasshouse Park.
- 8.4 The Club has the desire to improve and expand its facilities (with over 400 junior participants in the various sports) but this is not possible on its current footprint. It therefore approached the Council to see whether an alternative site was available. Discussions between the Council and KW have led to the position described in this report.