

MAIDSTONE BOROUGH COUNCIL

HERITAGE, CULTURE AND LEISURE COMMITTEE

MINUTES OF THE MEETING HELD ON TUESDAY 31 OCTOBER 2017

Present: Councillor Pickett (Chairman) and Councillors Boughton, Butler, Fort, Harvey, Hastie, Mrs Hinder, Lewins and Newton

Also Present: Councillors D Burton, D Mortimer, Naghi and Round

53. **APOLOGIES FOR ABSENCE**

It was noted that apologies had been received from Councillors Mrs Blackmore, Ells and Mrs Wilson.

54. **NOTIFICATION OF SUBSTITUTE MEMBERS**

The following Substitute Members were noted:

- Councillor Boughton for Councillor Mrs Blackmore
- Councillor Newton for Councillor Ells
- Councillor Harvey for Councillor Mrs Wilson

55. **URGENT ITEMS**

It was noted that an updated map had been circulated to the Committee for Agenda Item 12 – Maidstone Play Area Policy. The reason for urgency was because the map was not available at the time the agenda was published.

56. **NOTIFICATION OF VISITING MEMBERS**

Councillors D Burton and D Mortimer indicated their wish to speak on Agenda Item 12 – Maidstone Play Area Policy.

Councillor Naghi indicated his wish to speak on Agenda Item 12 – Maidstone Play Area Policy and Agenda Item 13 – Disposal of Land Adjacent to Gallagher Stadium.

Councillor Round was present as a Visiting Member but did not wish to speak on any of the items on the agenda.

57. **DISCLOSURES BY MEMBERS AND OFFICERS**

There were no disclosures by Members or Officers.

58. DISCLOSURES OF LOBBYING

Councillors Hastie and Pickett stated that they had been lobbied on Agenda Item 13 – Disposal of Land Adjacent to Gallagher Stadium.

Councillor Butler stated that he was lobbied on Agenda Item 12 – Maidstone Play Area Policy and Agenda Item 13 – Disposal of Land Adjacent to Gallagher Stadium.

59. MINUTES OF THE MEETING HELD ON 5 SEPTEMBER 2017

RESOLVED: That the minutes of the meeting held on 5 September 2017 be approved as a correct record and signed.

60. PRESENTATION OF PETITIONS

There were no petitions.

61. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

There were no questions from members of the public.

62. EXEMPT INFORMATION

RESOLVED: That all items be taken is public as proposed.

63. COMMITTEE WORK PROGRAMME

The Committee considered the work programme for 2017/18.

RESOLVED: That the Committee Work Programme be noted.

64. MAIDSTONE PLAY AREA POLICY

The Committee considered the Maidstone Play Area Policy and the updated map, which had been circulated to Members prior to the meeting.

Councillors D Burton, Naghi and D Mortimer addressed the Committee on this item.

It was noted that the Leisure Manager made the following amendments to the report:

- In the table at Paragraph 2.7.4, South Park Play Area should come under High Street and South Ward.
- The Harbour play area in Sutton Valence should be added to the list of Strategically Important Play Areas (SIPAs) in the table at Paragraph 2.7.4.

The Leisure Manager highlighted the following points to the Committee:

- The Maidstone Play Area Policy was a supporting document to the Maidstone Parks and Open Spaces 10 Year Strategic Plan 2017 – 2027, which was adopted by this Committee on 4 July 2017.
- Over the last two years £1.8 million from the Capital Programme had been invested on play area improvements in the Borough; 32 play areas had been replaced or improved in line with the 12 minute standard.
- The 33 Parish Council owned play areas formed an important part of the SIPA network as they provided play opportunities to residents in rural areas not covered by Council provision. To support these play areas, £200,000 had been made available for a Parish Play Area Grants Scheme over a two year period, with each Parish Council able to claim up to £10,000 each if they met the criteria.
- Non-Strategic Play Areas (NSPAs) would not be maintained in the future using the Council's resources. The NSPAs would be offered to Parish Councils, Housing Trusts and other Community Groups to take over. If no interested parties came forward, the play equipment would be removed when it was no longer serviceable and retained as green space.

In response to a question from the Committee, the Leisure Manager advised that the methodology used to determine the 12 minute standard was formed by walking the routes to play areas and taking into account obstacles such as rivers and motorways. The Officer affirmed that most residents would live considerably closer than 12 minutes to a play area.

The Committee was concerned that the closure of NSPAs would mean that children of different age groups would be penalised and have no area suitable that they could play at.

The Committee requested that NSPAs be evaluated and reviewed on an individual basis and that more information regarding usage and funding sources (specifically Section 106 contributions) be presented before any decisions regarding the decommissioning of play areas were made. It was noted that the Committee were keen that consultation with relevant stakeholders take place before decisions on individual play areas were made.

In response to a question, Officers informed the Committee that the Parish Play Grants Scheme provided a way of supporting the SIPAs and that without the scheme being in place the SIPAs could be jeopardised.

RESOLVED:

1. That the implementation of a £200,000 Parish Play Grants Scheme over a two year period, which will support Parish Councils in

improving strategically important play areas that they own, be agreed.

Voting: For: 7 Against: 2 Abstentions: 0

2. That decisions to decommission Non-Strategic Play Areas be taken on an individual basis prior to closure.

Voting: For: 8 Against: 0 Abstentions: 1

Note: The Chairman confirmed that the second recommendation on the committee report was replaced by the Committee's second decision.

65. DISPOSAL OF LAND ADJACENT TO GALLAGHER STADIUM

The Director of Finance and Business Improvement presented the report relating to the disposal of land adjacent to the Gallagher Stadium.

Councillor Naghi addressed the Committee on this item.

It was noted that:

- This Committee had previously considered the matter on 4 April 2017, at which time it was decided not to declare the land as surplus to requirements and that the possibility of granting a licence to Maidstone United Football Club be considered.
- A licence had been considered and was not deemed an appropriate method of disposal because it allowed shared use of the land. The Club wished to fence the land and to have sole use of the land for their spectators; therefore, the options were a freehold or a leasehold disposal.
- The Council's Policy on Disposal of Property required that the land be disposed on a leasehold basis where there was a strategic benefit to the Council in retaining the freehold. This would allow the asset to remain within the Council's ownership but would provide significant benefits to the Club and the wider community by accommodating the Club's growth.
- Discussions with the Club had taken place and their preferred option was that the land be disposed via a freehold agreement. The Club was aware that a freehold disposal would be contrary to the Council's policy.

In response to a question from the Committee, the Director of Finance and Business Improvement stated that adding conditions into a freehold agreement would cause unnecessary complications. It was also noted that a freehold disposal would leave the Council with no ability to influence any future development on the site.

The Committee acknowledged that the Club was a huge asset to the town and wanted to support the Club as much as possible.

RESOLVED:

1. That the open space adjacent to Gallagher Stadium, as outlined in red on the attached plan in Appendix I, be declared as surplus to operational requirements.

Voting: For – 9 Against – 0 Abstentions – 0

2. That the placing of a public notice pursuant of Section 123 of the Local Government Act 1972 advertising the proposed disposal of land be agreed.

Voting: For – 9 Against – 0 Abstentions – 0

3. That the land should be disposed on a leasehold basis to the Football Club for a term of 99 years at a peppercorn rent.

Voting: For – 7 Against – 0 Abstentions – 2

4. That the Director of Finance and Business Improvement uses delegated powers to conclude the lease negotiations.

Voting: For – 9 Against – 0 Abstentions – 0

66. DURATION OF MEETING

6.30 p.m. to 8.07 p.m.